

Workforce Partnership

Local Workforce Investment Area III, Inc.

Policy Manual

**WORKFORCE PARTNERSHIP
POLICY MANUAL
TABLE OF CONTENTS**

<u>SECTION 1 – ADMINISTRATION AND OPERATION</u>	<u>4</u>
BRANDING POLICY	5
COMPLAINT AND GRIEVANCE POLICY AND PROCEDURES	8
ELIGIBLE TRAINING PROVIDER POLICY	15
EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION POLICY	24
MONITORING POLICY AND PROCEDURES	27
NO GIFT POLICY	31
ON-THE-JOB TRAINING POLICY AND PROCEDURES	33
OPEN RECORDS POLICY	39
PUBLIC COMMENT POLICY	42
REVERSE REFERRAL POLICY	43
RFP CONTACT POLICY	45
TARGET INDUSTRY SKILL POLICY	47
TRAINING EXPENDITURE POLICY	48
TRANSFER POLICY	49
YOUTH COUNCIL POLICY (OLD AND NOT SURE ITS NEEDED ANY LONGER)	50
YOUTH REMEDIATION	51
<u>SECTION 2 - PERSONNEL</u>	<u>53</u>
BENEFITS	54
COMPENSATION	59
DISCIPLINARY ACTION	60
EMPLOYEE CONDUCT	62
EMPLOYEE GRIEVANCE	68
EMPLOYMENT AND RECRUITMENT	69
HOURS OF WORK	71
PERFORMANCE APPRAISAL	73
REFERENCES AND RECORDS	74
TERMINATION	75
<u>SECTION 3 - FISCAL</u>	<u>76</u>
ACCOUNTING AND FINANCIAL MANAGEMENT REQUIREMENTS	77
ADMINISTRATIVE STANDARDS AND INTERNAL CONTROLS	86
COST ALLOWANCES	95

**WORKFORCE PARTNERSHIP
POLICY MANUAL
TABLE OF CONTENTS CONTINUED**

SECTION 3 - FISCAL	76
<hr/>	
FINANCIAL REPORTING	103
FISCAL CONTROLS POLICY	123
INSURANCE, BONDING AND RECORD REQUIREMENTS	126
LOCAL AREA III SPECIFIC PROCEDURES	133
PROCUREMENT POLICY	143
PROGRAM INCOME	149

Administration And Operation

Workforce Partnership Branding Policy

Policy and Procedures for Implementing the Branding Policy:

LA III is committed to building and leading a workforce development system that produces a high quality workforce capable of meeting the changing needs of employers in the Kansas City area. Among its guiding principles is that it is *system-focused*, reflecting the idea that no one program, funding source, or organization can meet the area's broad range of workforce needs, and that programs are more effective if they work in concert to respond to these needs.

The Board has established Workforce Partnership as the brand name for this system. The Workforce Partnership name and logo are used to describe the system and the services it makes available, regardless of the location of the service, how it is funded, or the partner organization providing the service. The LWIB views this approach as a critical step in uniting service providers and integrating services into a seamless, comprehensive, solution-based approach, with a singular identity. The shared identity serves to foster collaboration among partners, and allows all partners to benefit from the LWIB's outreach activities.

Partners look to the LWIB for leadership, and Workforce Partnership is becoming a recognized name synonymous with workforce expertise and quality services. Continuing to promote the system under the Workforce Partnership name is a necessity, based on the ever-increasing recognition we are garnering within our local communities. However, we also recognize that we are part of broader regional and statewide workforce systems, and we intend to leverage efforts to promote those systems to increase utilization of our services and awareness of our ability to contribute to personal and business prosperity. The LWIB is committed to participating in broader systems' branding through co-branding and cooperative outreach efforts that communicate both brands.

The following discussion explains how LA III will comply with the specific required elements of State Policy #3-30-00.

- A. Full adoption or working in partnership – LA III is committed to working in partnership with the KANSASWORKS brand.
- B. Application to all locations – LA III will utilize the KANSASWORKS brand in all locations, publications, and outreach messages.
- C. Specific elements

Exterior signs - Johnson County, Leavenworth County and Wyandotte County signs have signs incorporating the **KANSASWORKS** logo.

The phrase “in partnership with” and the **KANSASWORKS** logo have been incorporated into the mobile unit graphics.

Interior signs – Interior signage includes the “in partnership with **KANSASWORKS**” branding based on the signage space available in each location. In each location, signage with the partnership language has been placed in reasonable proximity to existing Workforce Partnership signage, in a manner that meets the relative size requirements of the **KANSASWORKS** brand standards.

Letterhead – The **KANSASWORKS** logo and the partnership language has been incorporated with all letterhead.

Business Cards – Business cards incorporate the “in partnership with **KANSASWORKS**” language and logo. All staff use these cards.

Flyers/brochures – As Workforce Partnership produces brochures promoting system’s services to jobseekers and employers, these brochures incorporate the **KANSASWORKS** logo with the partnership language.

Publications – The LWIB’s strategic goals include the development of new publications, such as an annual report. All publications will include the **KANSASWORKS** logo and the partnership language on the title page and/or the back cover. Newsletters and similar publications will also incorporate the logo and accompanying language.

Other printed materials – The “in partnership with **KANSASWORKS**” language will be included on all publications and in all news releases.

Television ads – There are no plans at the present time for television advertising. Should sufficient funding to support television advertising become available, the “in partnership with **KANSASWORKS**” language will appear graphically will be included whenever the Workforce Partnership logo is used.

Radio ads – There are no plans at the present time for radio advertising. Should sufficient funding to support radio advertising become available, references to Workforce Partnership will be accompanied with the required partnership language.

Web site – Workforce Partnership maintains www.workforcepartnership.com as the primary web site for the workforce system in LA III. That site has been

redesigned, the **KANSASWORKS** logo and the partnership language is featured prominently. The logo and language has been placed on the home page in a size that is compliant with the brand standards and in a position that allow them to be viewed easily. The site also has a prominently placed link to **KANSASWORKS.com**.

Billboards – There are no plans at the present time for billboard advertising. Should sufficient funding to support billboard advertising become available, the “in partnership with **KANSASWORKS**” language will appear graphically will be included whenever the Workforce Partnership logo is used.

Other outreach/public relation efforts – The **KANSASWORKS** logo will be incorporated as follows:

- **Name tags** include “In partnership with **KANSASWORKS**” branding.
- **Uniforms** are no longer required. Work shirts and attire have the “In partnership with **KANSASWORKS**” branding included.
- **Speaking engagements:** an explanation and description of **KANSASWORKS** and our relationship will be included as part all presentations.
- **Job Fairs:** Information about **KANSASWORKS** has been made available and signage includes the “In partnership with **KANSASWORKS**” branding.
- **Media and public relations:** All news releases will include a standard paragraph stating that Workforce Partnership is part of the **KANSASWORKS** network, and that services are provided in partnership with **KANSASWORKS**.

**WORKFORCE PARTNERSHIP
Complaint and Grievance
Policy and Procedures**

Complaint and Grievance Processes:

The scope of the complaint/grievance procedure for LA III includes discrimination, criminal, non-criminal and general complaint/grievances.

During the eligibility process, all WIA participants are required to sign a copy of the Summary of Rights and Program Grievance and Complaint Procedures. Participants are given a copy of the signed form.

Complaints/grievances may be made up to one (1) year from the date of the event or condition alleged to be a violation of WIA. This one-year limitation does not pertain to incidents related to potential fraud and criminal activity. For discrimination complaints, the complaint must be filed within 180 days of the alleged violation.

Complaints/grievances may be filed directly at the Workforce Partnership Office:

**Workforce Partnership Office
8040 Parallel
Suite 112
Kansas City, KS 66112**

A complaint may be amended or withdrawn at any time prior to a scheduled hearing.

Information that could lead to the identification of the person filing the complaint must be kept confidential, to the extent practical. The identity of any person who furnishes information related to, or assisting in, an investigation shall be kept confidential to the extent possible.

An entity receiving financial assistance under WIA may not discharge, intimidate, retaliate, threaten, coerce, or discriminate against any person because such person files a complaint, opposes a prohibited practice, furnishes information, assists or participates in any manner in an investigation or hearing.

Every recipient of funds under Title I of WIA must maintain a complaint/grievance process in accordance with 20 CFR 667.600.

Discrimination Complaints

Complaints alleging a violation of the non-discrimination provisions of WIA Section 188.29 U.S.C. Section 2938, may be filed directly with the U.S. Department of Labor:

**U.S. Department of Labor, Room N-4123
Directorate of Civil Rights
Frances Perkins Bldg.
200 Constitution Avenue, NW
Room N-4123
Washington, D.C. 20210
Telephone # (202) 523-8905**

Complaints may also be filed directly to the Equal Opportunity (EO) Officer for LA III. The EO Officer for LA III is the Director of System Performance. The EO Representative will review each complaint to assure completeness and may assist the complainant with filing the complaint. A copy of the complaint will be forwarded to the State EO Director immediately.

The LA III EO Representative will make every effort to resolve the complaint locally and shall offer a resolution of the complaint to the complainant and the respondent in writing within sixty (60) days after the complaint is filed. If the resolution offered is satisfactory, the complainant and respondent shall be asked to sign a copy of the written proposal indicating acceptance of the proposed resolution. A copy of this signed agreement shall be forwarded to the State EO Director.

Appeal Process

If a complaint is filed at Local Area III and no decision is issued within the sixty (60) days, or either party is dissatisfied with the local hearing decision, either party may file a written appeal to the Kansas Department of Commerce. The written appeal must be signed and dated by the party submitting the appeal and must contain the following information:

- The request must be made within ten (10) days of the adverse decision or ten (10) days from the date the decision should have been issued
- The full name, address and telephone number (if any) of the person submitting the appeal
- The date and location where the complaint was filed
- The date the hearing was held
- If a decision was issued, the reason why it should be reviewed or if a decision was not issued with sixty (60) days of the filing of the complaint, a statement of the date the decision should have been issued and that no decision was issued by that date
- A copy of the original and any amended complaint; a copy of any response(s) thereto and a copy of any decision entered at LA III

During the first ten (10) days after a complaint is filed with the Kansas Department of Commerce, an attempt will be made to informally resolve the matter. If no resolution is

achieved, a hearing will be scheduled. The hearing will be conducted within thirty (30) days of the date the complaint is received by the Kansas Department of Commerce. The decision by the Kansas Department of Commerce is the final decision.

The Kansas Department of Commerce may remand complaints as related to local Workforce Investment Act programs to the local area complaint process, when appropriate, by issuing a written notice to all affected parties that the matter is being remanded.

Parties to the complaint will receive notice of the date, time and place where the hearing will be conducted. If appropriate, the hearing may be conducted by telephone. A decision will be issued in writing within sixty (60) days of the date the complaint/grievance was received by the Kansas Department of Commerce

At any time during the resolution process, any party may choose to be represented by an attorney or other representative of their choice and at their expense. At the hearing, parties may bring witnesses and documentary evidence. Prior to the hearing, the parties may request that the hearing officer issue subpoenas to compel attendance of witnesses and/or the production of relevant documentary evidence.

If an individual desires to withdraw his/her complaint or reschedule the hearing, he/she must notify the official that sent the hearing notice. Notification must be in writing. Requests for rescheduling of the hearing will be granted only for good cause.

No person may be discharged or in any way discriminated against because such person files a complaint, testifies at a hearing, provides information or intends to testify at a hearing or provide information pursuant to this process.

Nothing precludes a complainant from pursuing a remedy authorized under any other federal, state or local law.

Criminal Complaints

Managers, supervisors, employees and officials of the Kansas Department of Commerce, LA III, recipients, sub-recipients, contractors and participants are to promptly report in writing or by telephone to a LA III manager or supervisor, or the KDHR Internal Security Director, information believed to indicate actual, potential or suspected criminal wrongdoing.

An Incident Report, will be the vehicle for reporting all known or suspected cases of fraud, malfeasance, misapplication of funds, gross mismanagement, or other criminal activities in Employment and Training Administration funded programs. If the report is made to a manager or supervisor, that person shall ensure that the Incident Report form is completed in its entirety and shall forward the original report form immediately to:

**Kansas Department of Commerce
Internal Security Advisor
1000 SW Jackson, Ste. 100
Topeka, Kansas 66612**

If it is determined by the manager or supervisor that the report requires immediate attention, a telephone report will be made to the Internal Security Advisor at (785) 296-2185 to relate the necessary information, and the written report will be sent immediately thereafter.

If the reporting party considers that his/her position will be compromised by submitting information they believe indicates wrongdoing through the manager or supervisor he/she may send the report directly to the Internal Security Advisor or directly to:

**Office of Inspector General
P.O. Box 1924
Washington, D.C. 20013
Phone # at FTS 800-357-0227
or 800-424-5409**

The individual's identity will not be disclosed except where the employee consents or it is determined that disclosure will be unavoidable during the course of an investigation.

No action of any kind shall be taken against any party filing a report of alleged wrongdoing pursuant to this procedure or for assisting in the investigation or prosecution of the complainant, by the manager or supervisor or the Internal Security Director.

The Internal Security Director shall notify the Office of the Inspector General and the Regional Administrator. The Internal Security Director shall be responsible for any investigation undertaken in response to the incident report, and shall prepare a quarterly status report on incident reports, and a final report on each incident, for submission to the U.S. Department of Labor. In addition, when deemed appropriate, the Secretary of the Kansas Department of Commerce may initiate a special review to be conducted by the Workforce Compliance and Oversight Unit. It is not the intent of the Incident Report to elicit reports after a determination has been made that the act or omission is legally prosecutable. This decision is within the jurisdiction of the affected U.S. Attorney, Chief Counsel of the Kansas Department of Commerce or the individual designated by LA III to process Incident Reports. Any act that raises questions concerning possible illegal expenditures or other unlawful activity should be immediately reported according to the established procedures.

Non-Criminal and General Complaint/Grievances

Any applicant, employee, participant, service provider, program recipient or other interested party may file a complaint/grievance alleging a violation of local WIA programs, agreements or Local Board policies and activities.

A general WIA Complaint/Grievance form, (see Attachment Section), can be obtained from the Local Area III Administrative Office at the following address:

**Workforce Partnership Office
8040 Parallel
Suite 112
Kansas City, KS 66112**

Complainants with disabilities will be accommodated in communication and location. Alternate formats will be used on request to notify the complainant of hearings, results and any other written communication. Auxiliary aides and services, such as deaf interpreters or assistive listening devices, will be provided upon request for negotiations, hearings and any other meetings where aural communication occurs. An accessible location will be used for hearings and other meetings on request.

Resolution Process

Service providers and employers of WIA participants must have procedures in place to process complaints/grievances related to the terms and conditions of the participant's training or employment. Employers and service providers may elect to utilize the system established by the Local Administrative Entity or operate their own complaint procedures. If the employer is required to use the complaint processing procedures under a covered collective bargaining agreement, then those procedures may be used to handle general WIA complaints.

Any hearing conducted by an employer must comply with all provisions for hearing described in the Local Area III policy.

Initial Review

If the complaint alleges a violation of any statute, regulation, policy, or program that is not governed by WIA, the complaint will be referred to the appropriate organization for resolution. Notice of the referral will be sent to the complainant.

The EO Officer or the service provider will receive the complaint from the complainant or the complainant's designated representative. All complaints will be logged. A complaint file should be established that contains the following:

- Application and enrollment forms

- Completed General WIA Complaint Form (or complainant's written statement)
- Chronological log of events or conditions alleged to be a violation of WIA
- Any relevant correspondence
- Record of the attempted informal resolution

Informal Resolution

An attempt should be made by the Local Administrative Entity or the service provider to informally resolve the complaint to the satisfaction of all parties. The informal resolution process must be completed within ten (10) business days from the date the complaint is filed. If all parties are satisfied, the complaint is considered resolved. The terms and conditions of the resolution must be documented in the complaint file. When a service provider attempts the informal resolution, the service provider will forward the complaint file to the Local Administrative Entity. The Local Administrative Entity will review the complaint file and investigate it further if necessary.

Formal Resolution

When an informal resolution is not possible, the Local Administrative Entity will issue a determination within 20 calendar days from the date the complaint was filed. If an appeal of the determination is not requested, the complaint is considered resolved and the complaint file should be documented accordingly. Any party dissatisfied with the determination may request a hearing within 14 calendar days of the date of the determination.

Hearing

If the complaint is not withdrawn, the Local Administrative Entity will designate a hearing officer to ensure the complaint receives fair and impartial treatment. The hearing must be conducted within 45 calendar days from the date the complaint was filed. The hearing officer will schedule a formal hearing and mail a written notice to the complainant, the respondent, and any other interested party at least seven (7) business days prior to the hearing. The notice will include the date, time, and place of the hearing.

Parties may present witnesses and documentary evidence, and question others who present evidence and witnesses. The complainant may request that records and documents be produced. Attorneys or another designated representative(s) may represent each party. All testimony will be taken under oath of affirmation. The hearing will be recorded either in writing or by audiotape. The hearing officer's recommended resolution will include a summary of factual evidence presented during the hearing and the conclusions upon which the recommendation is based.

Final Decision

The Local Administrative Entity will review the recommendation of the hearing officer and issue a final decision within 60 calendar days from the date the complaint was filed.

Appeal

Any party dissatisfied with the Local Administrative Entity's final decision, or any party who has not received either a final decision or a resolution within 60 calendar days from the date the complaint was filed, may request an appeal. The appeal must be received by the Kansas Department of Commerce in Topeka within 90 calendar days from the date the complaint was filed at the following address:

**Kansas Department of Commerce
Workforce Compliance and Oversight
1000 S W Jackson, Ste. 100
Topeka, Kansas 66612**

Kansas Department of Commerce will review the complaint file, the hearing record, and all applicable documents and issue a final decision on the appeal within 30 calendar days from the date the appeal was received.

**Workforce Partnership
Local Area III
Eligible Training Provider Policy**

Introduction

Workforce Partnership's list of eligible training providers (ETP) is the information source one-stop customers need to make informed choices about available training programs. Our role is to assist and support adults and dislocated workers in making informed choices based on the individual's interests and aptitudes; local demand occupations; and the training program's performance.

Policy for determining training provider and training program eligibility for individuals using Individual Training Accounts (ITA's) is established herein.

Workforce Partnership reserves the right to accept or reject any or all applications. Applicants will be notified in writing of the decision. The Kansas Department of Commerce (KDOC) will also be notified of any approvals. KDOC reserves final right to accept or reject any applications within thirty days from the notice of approval from Workforce Partnership. Training institutions will be able to confirm WIA eligibility approval by reviewing the list of Eligible Training Providers on www.kansasworks.com. Training programs marked as "WIA Approved" indicate final WIA approval status.

Background

This document establishes policies and procedures in compliance with the Workforce Investment Act (WIA) Section 122 and Kansas Department of Commerce Policy #3-16-01. Workforce Partnership will use this policy to make eligibility determinations of training providers to receive Workforce Investment Act funds for training services for Adults and Dislocated Workers using the Individual Training Account system.

Referrals

The typical process for referrals will be where the WIA Case Manager refers a WIA Participant to a training provider. All WIA participants are assessed for interests and aptitudes prior to seeing training provider information.

Workforce Partnership realizes that individuals visit training providers before visiting Workforce Centers and enrolling in WIA programs. Many of these individuals are suitable for WIA programs, but others are not. A WIA Case Manager will assess any individual that is referred directly from a training provider. If the individual is suitable for a WIA program, the WIA Case Manager will begin the eligibility process and inform the individual of the different training options available. Workforce Partnership makes

no guarantee that eligible participants will ultimately choose the training provider that made the original referral.

Performance Standards

The term ‘appropriate level of program performance’ for ‘all students’ is defined as performance equal to or greater than 60% of the State Common Measure Goal for the reporting year.

The term ‘appropriate level of program performance’ for ‘WIA students’ is defined as performance equal to or greater than 80% of the State Common Measure Goal for the reporting year.

Workforce Partnership may accept a lower level of performance as an exception when, in consultation with the local WIA operator, there is a reasonable expectation that the provision of additional WIA services (core/intensive/training) will produce acceptable levels of performance.

Initial Eligibility

To be considered for inclusion on the state ETPL, a provider of training service(s) at a physical location within Kansas or by virtual/distance/internet means, must be authorized by Kansas Board of Regents (KBOR) to provide such services in Kansas prior to application as an eligible training provider. Specific programs of training offered by providers must also be approved by KBOR prior to application as an eligible training provider.

Providers of training services in communities of bordering states to Kansas, such as Missouri, must be listed as an eligible training provider in the state in which they are located and meet the minimum criteria established under this policy and local application processes before approval as an Eligible Training Provider.

Workforce Partnership will supplement the information on the state ETPL with information on training programs linked to occupations in demand in our local area and to assist and support adults and dislocated workers in making informed choices based on individual interests and aptitudes, local demand occupations, and the training program’s performance.

All providers must submit provider applications, with program-level information, to the local area in which they wish to provide services, for each program to be considered for inclusion on the ETPL. WIA establishes two (2) processes for determination of initial eligibility; one for Higher Education Act (HEA) and National Apprenticeship Act (NAA) providers and a second for all other providers of training services.

A. HEA/NAA Providers/Programs – Initial Eligibility

1. Initial application procedures for providers and programs eligible to receive federal funds under Title IV of the Higher Education Act of 1965 and for entities who carry out programs under the National Apprenticeship Act of August 16, 1937 (commonly known as Registered Apprenticeship) are determined by LWIBs, which may elect to use the default procedures listed below, or adopt their own. At a minimum, those procedures shall include #2 - #4 listed below.
2. Applications for initial eligibility may be submitted at any time
3. Applications for initial eligibility are submitted electronically, through the appropriate local area link on KANSASWORKS.com
4. The content – Training providers will provide the following information including:
 - Provider name
 - Provider location
 - Contact information
 - Program specific cost information, such as tuition and fees, for each program of training services to be offered. This may be contained in an appropriate electronic link or hardcopy course catalog attached to the application
 - A description of each program of training to be offered which may be in the form of an appropriate electronic link or hardcopy course catalog attached to the application

Workforce Partnership will include HEA and NAA providers on the local list of initially eligible providers if their applications are complete and accurate. The list will be forwarded to Commerce and providers are initially eligible without State review.

B. Other Providers and Other Programs – Initial Eligibility

1. Initial eligibility application procedures for providers and programs not eligible to receive federal funds under Title IV of the Higher Education Act of 1965 (HEA) and for entities who do not carry out programs under the National Apprenticeship Act (NAA) are determined by Commerce (§663.515(c)(1)). These providers and programs are hereafter referred to as ‘other providers’ and ‘other programs’. Such procedures shall include #2 - #4 listed below.
2. Applications for initial eligibility may be submitted at any time.

3. Applications for initial eligibility are submitted electronically, through the appropriate local area link on KANSASWORKS.com
4. The content – Training providers will provide the following information including:
 - Provider name
 - Provider location
 - Contact information
 - Program specific cost information, such as tuition and fees, for each program of training services to be offered. This may be contained in an appropriate electronic link or hardcopy course catalog attached to the application
 - A description of each program of training to be offered which may be in the form of an appropriate electronic link or hardcopy course catalog attached to the application
 - Annual program-specific performance information for the most recent year available as reported on the K-TIP report OR the performance for all students within the program of study, specifically to include:
 - a. Number of students
 - b. Program completion rates
 - c. Percentage who obtained unsubsidized employment
 - d. Average wage at placement in employment

Workforce Partnership will include other providers on the local list of initially eligible providers if their applications are complete and accurate and meet appropriate and applicable levels of performance. Other providers and programs are reviewed by Workforce Partnership and forwarded to KDOC within thirty (30) calendar days of the receipt of the initial application, along with any recommendations or additional information. Applications are reviewed by DOC within thirty (30) calendar days of receipt, and, if determined eligible, placed on the State Eligible Training Provider List as initially eligible.

If eligibility is denied, the provider may re-apply in six months from the State's denial date.

The procedure for appealing the eligibility decision is described in Section 9.

Subsequent Eligibility

Subsequent eligibility application procedures for all providers and programs (HEA/NEA and 'Other') are determined by KDOC. (§663.535).

KDOC was granted a waiver of the provision at 20CFR 663.530 that prescribes a time limit on the period of initial eligibility for training providers through June 30, 2017. In

addition to waiving the one-year time limit for initial eligibility, this waiver permits the continued use of initial eligibility criteria for certification of WIA training providers in Kansas. Maintaining providers identified under initial eligibility affords Kansas' job seekers an opportunity to take advantage of the wide array of programs provided by the state's training providers while allowing Kansas the time necessary to thoroughly assess the eligible training provider process and develop an effective and efficient method of data collection and dissemination.

Workforce Partnership will continue to review provider and program performance on an annual basis using performance information for the most recent year available for all students as reported on the K-TIP report and performance information for the most recent year available for WIA participants within the KANSASWORKS participant tracking systems.

Performance information to be evaluated for WIA participants includes:

1. Percentage of WIA participants who have completed the program;
2. Percentage of WIA participants who complete and obtain unsubsidized employment;
3. Retention rates of WIA participants in unsubsidized employment who completed the program, six (6) months after the first day of employment;
4. Average wages received by participants who completed the program, six (6) months after the first day of the employment;
5. Where appropriate, the rates of licensure or certification, attainment of academic degree(s) or equivalent(s), or attainment of other measures of skills of the graduates of the program.

Workforce Partnership may remove an eligible provider or program from the ETPL if the provider's performance is found to adversely impact annual performance as measured by Common Measures, or if the training provider is found to have provided false performance information or if the training provider is providing training that is vastly different than described in the application.

In removing an eligible provider, Workforce Partnership will consider the following factors:

1. Specific economic, geographic, and demographic factors within the local area;
2. Characteristics of the population served by the provider, including demonstrated difficulties in serving certain populations, as applicable; and
3. Program-level performance information, including the extent to which the annual standards of performance have been achieved.

If eligibility is revoked, the provider may re-apply in six months from the denial date. The procedure for appealing the eligibility decision is described in Section 9.

Removals and Denials

A. Removal from ETPL

1. Removal of a provider or program from the ETPL (except for intentionally providing inaccurate information or violation of WIA) does not affect active adult and dislocated worker participants. An eligible training provider may lose eligibility and may be removed from the list under the following circumstances:

- a) Initial applications from “other providers” and for “other programs,” may be denied based on failure to meet minimum performance standards defined as performance equal to or greater than sixty percent (60%) of the State Common Measure Goal for the reporting year after consideration of specific economic conditions, geographic factors, characteristics of the population(s) served, and achievement of any locally establishes standards of performance.
- b) Provider performance jeopardizes the Workforce Partnership’s overall ability to meet minimum negotiated (Common Measures) performance. Workforce Partnership will demonstrate results of corrective action efforts to improve performance by the provider and give the provider notice and cause of any such action as described in Section 6.B.
- c) If a provider is determined to have intentionally supplied inaccurate information for any program, including performance information or program description, the provider and all programs will be removed from the list. A provider removed under these circumstances is liable for repayment of all adult and dislocated worker training funds received during the period of non-compliance. Providers removed under these circumstances may reapply only after consulting with Workforce Partnership and KDOC on modifications, changes, and/or remedies implemented to address the violation.
- d) If a provider is found in violation of any provision of WIA Title I or WIA regulations, including 29 CFR Part 37, the provider and all programs will be removed from the list. A provider removed under these circumstances is liable for repayment of all adult and dislocated worker training funds received during the period of non-compliance. Providers removed under these circumstances may reapply only after consulting with Workforce Partnership and KDOC on modifications, changes, and/or remedies implemented to address the violation.
- e) Any program or provider denied subsequent eligibility by Workforce Partnership, is removed from the ETPL. Providers may re-apply six months following the denial by submitting another application.

For appeals, see Section 9.

B. Local Board Denial

1. When Workforce Partnership's local board determines a training provider's application for a specific program does not meet the eligibility requirements set forth in WIA or state/local policy, Workforce Partnership shall issue a denial within thirty (30) calendar days. A separate denial notice will be issued for each training program denied and shall comply with the following requirements:

- a) Be mailed to the training provider at the address listed on the application and to the attention of the contact person identified on the application;
- b) Indicate the "date mailed" on the denial notice;
- c) Identify the program that was denied;
- d) Describe the specific reason for the denial; and
- e) Inform the training provider of the appeal process as outlined in Section 9.
 - i. Workforce Partnership shall determine the circumstances under which reconsideration may be afforded to a provider denied initial eligibility determination.
 - ii. An entity whose initial application for certification is denied may reapply no sooner than six (6) months after the written notice of denial.

C. State Denial

1. Upon receipt of Workforce Partnership's training provider list, and after appropriate evaluation of such lists and accompanying information, KDOC shall issue a determination within thirty (30) calendar days whether to deny or remove any training program from the state ETPL. A separate denial notice will be issued for each training program denied and shall comply with the requirements as outlined in Section 6.B.1.

Payments

Workforce Partnership issues and Individual Training Account Voucher (ITA) as a promissory note to pay for occupational skills training program on behalf of WIA eligible participants. Payments are never made to participants, but only directly to eligible training providers.

Eligible training providers can invoice Workforce Partnership for training services at any time. Workforce Partnership reserves the right to pay such invoices after it has been confirmed that WIA participants have indeed started the training program and are projected to finish the training program. If a participant fails to complete 50% of a

training program, eligible training providers are expected to pro-rate invoices based on the amount of actual training that was received. If an eligible training provider is unable or unwilling to pro-rate such invoices, the training provider and their subjected programs may be removed from the ETPL.

Appeals

1. The training provider has ten (10) working days from the mailing date of a denial notice to file an appeal to the originator of the notice (Workforce Partnership/KDOC). The request for appeal must clearly indicate the training provider wants to appeal the denial, and identify the provider and training program(s) being denied. The request for appeal must be submitted in writing, signed, and must include a factual basis for the appeal.
2. The originator of the notice (Workforce Partnership/KDOC) will review the request for appeal and, based upon the review, may reverse their original decision if an administrative error was made or if additional information submitted by the training provider changes the basis on which the original decision was issued. This initial process is an "administrative reconsideration" and must be completed within ten (10) working days of receipt of the request for appeal.
3. If Workforce Partnership reverses a prior decision, Workforce Partnership will forward a copy of the appeal to KDOC with a request to place the training program on the state ETPL. Workforce Partnership will notify the training provider in writing they have reversed their original decision and forwarded the request to KDOC.
4. If KDOC reverses a prior decision, KDOC will notify both Workforce Partnership and the training provider of the reversal and will follow appropriate procedures to place the training provider on the state ETPL.
5. If, after the review process, the original denial is not reversed, the appeal must be forwarded to KDOC's Chief Counsel who in turn will appoint a Designated Hearing Officer to preside over the appeal within five (5) working days of the decision to deny.

Kansas Department of Commerce Chief Counsel, Legal Division 1000 SW Jackson, Suite 100 Topeka, Kansas 66612

6. The Designated Hearing Officer will conduct a hearing at which time the training provider and party denying the training request (Workforce Partnership/KDOC) will be allowed to present its case. The Designated Hearing Officer will issue an independent decision based on the information gathered at the hearing. A written decision will be issued within ten (10) working days following the hearing to both the party denying the training request (Workforce Partnership/KDOC) and the training provider.

7. If the Designated Hearing Officer does not reverse the denial, the decision is final. If the Designated Hearing Officer reverses the denial, the party denying the training request (Workforce Partnership/KDOC) will comply with the decision within ten (10) working days of receipt of written decision from the Designated Hearing Officer.

Contact Information

Questions or concerns about this policy or any other training issue can be directed to:

Trent Howerton
Director of System Performance
8040 Parallel Parkway
Suite 112
Kansas City, KS 66112
Phone: 913-287-1116
Fax: 913-287-1160
trenth@workforcepartnership.com
www.workforcepartnership.com

Workforce Partnership Equal Opportunity and Affirmative Action policy

Equal Opportunity and Affirmative Action

1. Description of Local Board Equal Opportunity and Affirmative Action Policies

Local Area III (LA III) Workforce Investment Act (WIA) recipients, including the Local Board comply with the nondiscrimination and the equal opportunity provisions of the WIA Section 188 and its implementing regulations.

2. Description of Procedures Relating to Local Board Policies

The Local Area III (LA III) Local Workforce Investment Board (LWIB) requires that contractors are equal opportunity employers. Contractors must offer employment solely on the basis of ability, qualifications and merit to all persons without discrimination because of race, religion, creed, color, national origin/ancestry, sex, age, marital status, Vietnam or Special Disabled Veteran Status, or the presence of a form or condition of disability.

LA III LWIB requires that contractors comply with federal, state and municipal laws relating to equal employment opportunity. This applies to the conduct of recruiting and hiring plus other Personnel actions including:

- promotions
- demotions
- terminations
- compensation
- benefits
- training
- education
- tuition assistance

LA III WIA activities will be implemented and governed in compliance with Equal Employment Opportunity law as specified in the following:

- Fair Labor Standards Act of 1938
- Kansas Minimum Wage & Hour Law
- Equal Pay Act of 1963 (as amended)
- Title VII, Civil Rights Act of 1964, 1991 (as amended)
- Executive Orders 11246, 11375 and 12806 of 1965, 1967 (as amended)
- Age Discrimination in Employment Act of 1967, 1978, 1986 (as amended)
- Sections 503 and 504, Vocational Rehabilitation Act of 1973, 1974 (as amended)
- Vietnam Era Veterans Readjustment Act of 1974 (as amended)
- Pregnancy Discrimination Act of 1978
- Kansas Age Discrimination in Employment Act of 1983 (as amended)
- Immigration Reform and Control Act of 1986, 1990, 1996

- American with Disabilities Act of 1990
- Older Worker Benefit Protection Act of 1990
- Kansas Act Against Discrimination (as amended)
- All other applicable federal, state and local laws

The above list is not intended to be all-inclusive and any specific exclusion is not intended.

Administrative Entity’s Equal Opportunity Officer

The LA III Director of System Performance is designated as the EO Officer for receiving investigations and offering resolutions of complaints/grievances, and for assuring all WIA applicants are advised of their rights. Requests for assistance or questions should be addressed to:

Trent Howerton
Director of System Performance
8040 Parallel
Kansas City, KS 66112
Phone: (913) 287-1116

During the eligibility process, all WIA participants are required to sign a copy of the Equal Opportunity is the Law document. Participants are given a copy of the signed document. A copy of this form can be found in Attachment D of this plan.

LWIB Staff in accordance with the monitoring schedule also does specific monitoring for equal opportunity compliance.

Small and Minority-Owned Business Opportunities for Contracts

At such time when contracts are solicited, LA III will work closely with Area Chambers of Commerce, economic development organizations, and city planners to identify small and minority owned businesses including those owned by women to ensure that these businesses have an opportunity to apply.

Equal Opportunity for People with Disabilities

Accommodations or special arrangements for persons with a disability or those with limited English speaking capabilities will be made available at all area One-Stop Centers. Such accommodations or arrangements may include, but are not limited to:

- TTY/TDD access
- Sign language interpretation
- English translation
- Computer technology
- Other one-on-one customer assistance

LA III will use all available resources in order to provide situational-specific assistance where necessary. This includes making WIA information available to individuals with limited English speaking abilities.

LA III continuously works with the social service agencies located in the three (3) county LA III area that provides services to persons with disabilities to assure access to WIA programs.

Kansas Rehabilitation Services (KRS) is a One-Stop partner and access to KRS will be available through all three (3) of the One-Stop Centers.

Workforce Partnership Policies and Procedures for Monitoring

The Local Area III (LA III) Local Workforce Investment Board (LWIB) has monitoring policies in place that coincide with those monitoring policies developed by the Kansas Department of Commerce Workforce Compliance and Oversight Unit. These policies and procedures ensure compliance with *Kansas Department of Commerce Policy 1-02-01 Oversight and Monitoring*.

The results of monitoring activities will serve as a functional management tool for maintaining the quality of programs and will ensure that Workforce Investment Act Funds are used as intended.

The Director of System Performance will maintain oversight of the performance and the operations of its various programs under the Workforce Investment Act. The LA III LWIB may choose to hire additional staff in the future to assist with monitoring activities. It will ultimately be the responsibility of the Director of System Performance to ensure the completion of the monitoring duties.

In performing the internal monitoring duties, the Director of System Performance will maintain complete objectivity and independence in completing the monitoring tasks. The Director of System Performance reports directly to the Executive Director of the LA III LWIB.

Monitoring Schedule

The scheduling of the monitoring activities may vary due to the size or scope of the program activities being reviewed. The Director of System Performance may choose to monitor particular area(s) more frequently if deemed necessary. Review areas may also be moved to different quarters depending on schedules and other activities.

Each program year, the following activities of the WIA Program will be monitored on a quarterly basis:

First Quarter (July – Sept)	Second Quarter (Oct –Dec)
OJT – Adult and Dislocated Programs	Adult/Dislocated File Review/Elig
Customer Satisfaction	ITA Process Review
Contract Reviews–Incumbent and	Data Validation –Adult and Dislocated
Customized	Enrollment Totals for Integration
Fiscal/Procurement/Program Costs	Fiscal/Procurement/Program Costs

Contract Performance Standards	Contract Performance Standards
Third Quarter (Jan - Mar) Youth File Review Data Validation - Youth Work Experience - Youth Fiscal/Procurement/Program Costs Contract Performance Standards	Fourth Quarter (April - June) One-Stop Delivery System LEOB/LWIB and Youth Council Enrollment Totals for Integration Grievance/EO Fiscal/Procurement/Program Costs Contract Performance Standards

Reviews and Reporting

Reviewing documentation includes case files and participant information in KansasWorks. In also includes participant interviews, staff interviews, employer interviews, customer service reports, contract reviews and other administrative reports available in KansasWorks. This information is reviewed to ensure that Local Area III has no disallowed costs, and that all WIA programs are administered in compliance with all Federal and State guidelines. It also serves as a gauge for appropriate service levels, equal opportunity to programs and services and streamlined grievance and complaint procedures.

Upon the completion of the monitoring activities, the Director of System Performance summarizes the monitoring material and submits a final report to the LA III Executive Director. Once the Executive Director has reviewed and commented on the Quarterly Monitoring Report the Executive Director will approve/disapprove, sign and return the report to the Director of System Performance. After receiving the signed Quarterly Monitoring Report the Director of System Performance will take the appropriate action as specified in the report concerning recommendations and/or corrective action.

Director of System Performance will address all issues in writing with staff, service providers and anyone else that may be involved in a monitoring resolution. A complete explanation as to any findings that need to be changed or corrected will be explicitly addressed.

The Monitoring reports are presented to the LWIB and the CEOB at each quarterly scheduled meeting.

Procedure for Scheduling/Documentation/Resolution of Findings and Corrective Action

The Director of System Performance will notify the appropriate service provider staff of upcoming monitoring activities. The Director of System Performance will work with the service provider staff to schedule times and locations of monitoring activities.

The Director of System Performance will use monitoring guides and checklists that have been developed and are consistent with the information provided by the State Workforce Compliance and Oversight Unit. These guides and checklists will be used as documentation as well as other documents provided by the service provider or otherwise available in KansasWorks.

Should findings be found, the Director of System Performance will outline the corrective action needed by the service provider along with timelines for the corrective action. Appropriate actions and timelines will be issued based on the severity of each finding.

The maximum time allowed for the resolution of problem areas is 90 days. At that time the Director of System Performance will follow-up to see if the problem has been resolved. A written report on resolution or lack of resolution of the problems will be prepared by the Director of System Performance, which will be sent to the Executive Director, and a copy placed in the Monitoring file. Consultation with the Executive Director can then determine as to how much additional time should be allotted to complete the corrective action depending on the seriousness of the corrective action.

The time frame for corrective action for File Review is two (2) weeks. If additional time is needed as verified by the Program Service Managers additional time will be given. Reasons for requesting additional time to complete corrective action will be noted in the corrective action report to go to Executive Director in the form of a Corrective Action Update Report.

All operations that have been reported to have problem areas and need corrective action have the right to appeal the validity of said difficulty. This should be done in writing to the Director of System Performance. The Director of System Performance will make every effort to come to an equitable decision on the matter in consultation with Executive Director.

The Corrective Action File will be located at the Workforce Partnership office.

Documentation of Internal Quarterly Monitoring Reviews

The Director of System Performance will finalize findings in the form of a report, upon completion of each quarterly review. All reports, checklists and additional material will be available for review by any interested parties. All reports of monitoring activities and any review findings will also be shared with the Local Workforce Investment Board, the One-Stop Operator and the One-Stop Partners.

Each quarterly Monitoring Review does not have a specific time frame for accomplishment, but will follow the following guidelines:

- Notification of ten (10) working days to the Service Provider prior to the on-site monitoring activity
- Report consists of Summary, Assessment, Recommendation(s) and Corrective Action
- Advise WIA/CEO Boards of quarterly monitoring report findings at next scheduled LWIB/Joint CEOB Meeting after completion.

**Local Area III
Workforce Investment Board
Board Policy**

Policy Number: #08-06-12

Subject: “No Gift” Policy for Workforce Center Staff

Issued: June 16, 2008

Programs: Workforce Investment Act Title IB

Contact: Trent Howerton at 913-287-1116 or
trenth@workforcepartnership.com

The following "No-Gift" policy shall apply to all Workforce Center staff in Local Area III Workforce Centers.

To avoid even the appearance of a conflict of interest and to demonstrate the Workforce Partnership’s commitment to impartiality, equal treatment and the highest standards of conduct in relation to all Eligible Training Providers and potential Eligible Training Providers of the Workforce Partnership Service area, the following no-gift policy shall apply:

- No gifts of any kind, of any value, shall be accepted, on or off the work site, by Workforce Center staff, contractors and/or partner agencies.
- The word "gift" means any item (pens, calendars, hats, bags, for example) having any cost or financial value, including food or beverages, and including Eligible Training Provider-sponsored meals or parties. Greeting cards are allowed. Eligible Training Providers could include providers that are currently on the WIA approved provider list, have been on the list in the past, or potentially could be on the list in the future.
- Workforce Center staff are permitted to receive gifts—including meals—that are provided to all participants of an event attended by multiple organizations, as well as gifts and/or meals whose cost is included in the cost of registration for a conference or meeting.
- Eligible Training Providers will be informed of this no-gift policy and the reasons for it at the next Education Summit, and shall be asked respectfully not to deliver or deposit any gift either for individuals or for a particular center. This policy applies equally to all Eligible Training Providers. Any gift that is received shall be returned to the

giver whenever feasible and, when not feasible, shall be delivered to the Local Workforce Investment Board office for return.

- This policy is supplemental to and supersedes all other "gift," "ethical" and "standards of conduct" policies, including personnel policies of partner organizations and contractors.

You will appreciate that the policy applies equally to all Eligible Training Providers. The purpose is not just the equal and fair treatment of all Training Providers, but also the equal and fair treatment to Workforce Center staff and participants in any WIA funded program.

**Local Workforce Investment Area III Inc.
Policies and Procedures for On-the-Job Training**

On-the-Job Training (OJT) may be provided to eligible WIA participants. The participant must demonstrate a need for OJT during formulation and development of the Individual Employment Plan. OJT is a training option meant to be conducted in occupations that require 1) a significant amount of hands-on, occupational specific skills training, and 2) are directly linked to in-demand occupations in the local area. OJT agreements are not intended to be subsidized employment for entry level occupations that require minimal hands-on training. OJT is only appropriate for the length of time necessary to become acclimated to the job specific skills tied to a particular occupation. Each training opportunity should be tailored to meet the specific training needs of a participant and the host company.

Enrollment into an OJT activity will be made based upon assessment of the participant's work history, current occupational skill base, and incorporated into an Individual Employment Plan (IEP). The assessment process should go beyond a mere listing of previous job titles and/or training courses and include exploration of tasks performed, tool or machinery operation proficiencies, and concepts or techniques acquired and utilized. The purpose of the assessment is to document a need for OJT and whether there will be a duplication of the skills to be acquired.

OJT proposals involving participants who possess significant previous work experience in the same or similar occupation, or proposals for in-place, upgrade training with the participant's current employer, will be highly scrutinized. Participants will not be enrolled unless there are substantial and demonstrable differences between previous work experience and the OJT proposal. The Workforce Center Representative will document within the training outline and the participant's file that the OJT skills are different, of greater difficulty, unique to the new job, and necessary to perform the new job tasks.

The new skills to be acquired by the participant will ideally possess a significant degree of transferability, will enhance his/her overall employability, and will broaden her/his employment opportunities in the local labor market. The training shall be in accordance with the terms of any collective bargaining agreement that may apply. Union concurrence will be included as part of the OJT agreement.

The goal for all OJT contracts is for the participant to secure and retain permanent, full-time unsubsidized employment with the host company/employer at the end of the OJT contract period. The host company/employer shall share and agree to this same goal.

OJT assignments should be promoted in occupations reflecting local labor market or industry needs, and they should directly benefit the career development of the

participant. OJT contracts can be implemented in the public or private sector, however, public sector contracts will not exceed the overall public sector employment in the area.

OJT for adults should not be less than twenty-five (25) hours per week or more than forty (40) hours per week. Disabled persons, a person with specific needs to work fewer hours or older workers may be exempt from the general rule.

No OJT contract may be written if the contract violates local conflict of interest policies adopted by the One-Stop Operator, or a One-Stop partner or partner program, or the LWIB. In particular, OJT contracts that involve a host company/employer and/or a participant that are immediate or extended family members, whether by blood, marriage, or adoption, are not be permissible.

No participant should be placed on more than two (2) OJT's. A second OJT is allowable only with Executive Director or designee approval, and will be determined on a case-by-case basis. Justification for a second OJT contract must be specifically documented (e.g., laid-off, fired, inappropriate job training match, company closing, etc.).

As circumstance may warrant, and with the approval of the Executive Director or designee, a participant may be eligible for limited Classroom Training (CRT) in addition to the OJT activity. Conversely, participants who have completed classroom training may transition into a short-term OJT position. Such cases will be allowed only where significant and compelling justification exists. Sequential or concurrent OJT/CRT enrollments will be allowed only where there is a clear indication that skills critical to the performance of a specific occupation cannot be acquired through a single mode of training, or where the participant fails to meet minimum qualifications for the occupation in question.

Any potential host company/employer must be able to satisfy the following general conditions prior to the commencement of OJT contract negotiations:

- The participant cannot be a previous employee
- The host company/employer cannot have had any layoffs in the past twelve (12) months
- There must be no less than three (3) permanent full time employees for each OJT trainee
- The host company/employer is required to have a grievance procedure and shall follow such procedures in matters related to the OJT participant. If the employer does not have a procedure, the employer must agree to follow the procedure developed by LA III
- The host company/employer must provide Worker's Compensation coverage
- The host company/employer must contribute to Unemployment Insurance

- No current employee(s) may be displaced, have their hours reduced, or be denied a promotional opportunity as a result of entering into an OJT contract
- There cannot be any employee(s) that previously occupied the OJT position currently in a “lay-off” or “furlough status”

The relationship between the host company/employer and the OJT participant should mirror that of any other employee in regards to working conditions, wage increases, and fringe benefits (i.e., health insurance, sick leave benefits, paid vacation, paid holidays, etc.). However, reimbursements from LA III to the employer are based solely on actual hours worked. LA III will make no contributions, financial or otherwise, to the participant’s fringe benefit package.

a) Determination of OJT Reimbursement Rate

The percentage of reimbursement to the employer will be determined based upon consideration of the following factors: Specific Vocational Preparation level of the occupation, previous work experience possessed by the trainee, skill levels and skill gaps presented by the trainee, the number and nature of barriers to employment faced by the trainee, information in the individual’s IEP, the relative size and/or financial resources available to the employer in question, and the proposed starting wage for the OJT position in question.

No OJT contract may be negotiated with a host company/employer that exceeds 50% of the wages paid by the employer. The level of reimbursement is determined based upon assessment of the trainee’s skill levels, aptitudes, and past work experience, and consideration of the degree of difficulty assigned to the job-specific tasks associated with the occupation in question. Since LA III believes that participants are entitled to the same benefits that other employees of the company have, all usual and customary wage increases will also be covered by the OJT contract. An OJT contract can only be written with employers that agree to retain the participant at the end of the training period, provided that the participant achieved satisfactory or better job performance evaluations during the training period.

The Workforce Center Representative responsible for negotiating the OJT contract shall negotiate the training outline based on the participant's past work experience and the skills acquired through education and other learning environments. The negotiation shall also include the employer's description of the job as listed in the OJT agreement, the skills required to perform the job, an appraisal of the skills the participant already possesses, and the new skills the participant will acquire during the OJT activity.

b) Length of OJT Contracts

The maximum duration for which payment of WIA funds may be made to an OJT host company/employer for a participant is based on a system of limitations to help differentiate between the lengths of time required to train workers for simple tasks as

compared to more complex tasks. The Workforce Center Representative will determine the duration of an OJT by use of the Department of Labor's Specific Vocational Preparation (SVP) estimates for occupations in the Dictionary of Occupational Titles. The SVP numbers, based on the complexity of a job, range from one (1) through six (6) and indicate a time span normally required to learn a job through education, on-the-job training, or a combination of both. The lower the number, the shorter the time frame to learn a specific occupation.

Workforce Center Representative will collaborate with the employer to negotiate the duration of training within the parameters of the SVP coding system. Consideration is also given to the skills a person may already possess and how this should impact the length of training. LA III recognizes that the employer and/or employee will be responsible for any additional time needed to learn the job.

SVP Code	Duration of Training
1 or 2	Not to be contracted
3	6 - 13 weeks
4	13 - 20 weeks
5	20 - 26 weeks
6	26 weeks maximum

Training generally will last between six (6) and twenty-six (26) weeks. LWIB policies limit the use of WIA funds for OJT to no more than twenty-six (26) weeks. Extension of the training periods for SVP Code's 3, 4, 5 or 6 may be granted for participants with special needs. Where such special needs exist, the period of reimbursement may be extended beyond the maximum parameters outlined above, provided that the total training hours do not exceed the following limits:

- SVP 3: no more than 520 hours
- SVP 4: no more than 800 hours
- SVP 5 and 6: no more that 1,040 hours

Contracts that comply with the categories above will be negotiated between the Workforce Center Representative and the employer.

c) Collecting and Disseminating Information on OJT and Customized Training Providers

Performance information specific to OJT and Customized Training activities will be tracked using direct follow-up with trainees and employers, and through UI Wage Records. Aggregate performance data will be disseminated through the One-Stop Centers.

d) Pattern of Failure

The granting of further agreements to existing OJT host companies/employers will be based on the performance of that employer as it relates to previous OJT contracts, and to current laws and policies. LA III reserves the right and authority to deny OJT contracts to a host company/employer who has not demonstrated acceptable performance outcomes.

OJT agreements generally will not be written with host companies/employers who have exhibited a pattern of failure in providing OJT participants with continued, long-term employment. Any one of the following characteristics or occurrences would demonstrate a “pattern of failure:”

- Terminated two (2) or more participants within thirty (30) days of the end of their OJT contract period for reasons other than those that apply to regular employees.
- Had two (2) or more participants who failed to complete contracts due to discharge by the employer, or by the participant quitting, because of conflicts between the employer and the participant.
- The work site has been determined to be unsuitable for WIA participants due to adverse employer/employee relations or working conditions.
- There is a participant retention level below 80%.

e) Self-Sufficient Wage and OJT for Employed Workers

OJT proposals involving participants who possess significant previous work experience in the same or similar occupation will be highly scrutinized. Proposals for in-place, upgrade training for an incumbent participant with her/his current employer is limited to instances where the incumbent is not currently earning a self-sufficient wage. A self-sufficient wage is one that at a minimum is equivalent to the current LLSIL.

The minimum entry wage for any OJT proposal will be no less than \$7.50 per hour. Jobs that pay on a commission, incentive or a piece-rate basis will not be contracted.

Reverse Referral

A company must notify a Workforce Center Representative and request a list of possible referrals from the LA’s applicant/participant pool prior to making a hiring decision. The Workforce Center Representative will review current participants and eligible applicants’ skills, abilities, aptitudes, and interests to determine if a potential match exists. The Representative may then make appropriate referrals. Referrals originating from a particular company may be considered for an OJT agreement only if the participant’s assessments and Individual Employment Plan document that an OJT would be a necessary and appropriate training activity.

On-the-Job Training – Economic Development

OJT for Economic Development is on-site, industry-specific and in support of industrial or economic development. OJT for Economic Development must meet the same requirements as the OJT outlined above.

After all training and contractual details are agreed upon, an LA III OJT agreement and all attachments must be completed and signed by the Workforce Center Representative and the host company/employer. The following information must be completed. Be sure to note that several pages within the OJT agreement packet require the signature of the employer or employer's designee (*), and/or an AAO signature (**), and/or the participant's signature (***)).

On-the-Job-Training Contract Contents:

- Contract Information
- Employer Information
- Contract Provisions
- Contract Signatures*, **
- Attachment A—OJT Training Outline***
- Attachment B—Statement of Re-contracting, SVP Levels**, Reverse Referrals*
- Attachment C—Statement of Organized Labor Commitment, Consultation, and Concurrence*
- Attachment D—Certificate of Debarment and Suspension*

Local Workforce Investment Area III, Inc. (Workforce Partnership) Open Records Policy

As an entity receiving public funds for carrying out public activities, Local Workforce Investment Area III has determined that it is subject to the Kansas Open Records Act (KORA). This document outlines LWIA III's policies ensuring compliance with KORA. This document outlines the procedures that LWIA III will follow in complying with KORA.

What records are available?

Most records maintained by LWIA III are open for public inspection and copying. Such records include, but are not limited to:

- Minutes/records of open meetings
- Board roster/committee rosters
- Procurement records, including documents related to requests for proposals
(information relating to bids or proposals will not be released until a contract is executed or all bids/proposals have been rejected)
- Budget documents

What records are not available?

Under KORA, certain records are not available for public inspection. Examples of such records excluded from public inspection are:

- Personnel records of LWIA III employees
- Medical records
- Records protected by attorney-client privilege
- Records closed by rules of evidence
- Notes and preliminary drafts
- Criminal investigation records

A complete list of exemptions from public viewing is contained in K.S.A. 45-221. We are required only to provide public records that already exist. There is no requirement to create a record at your request.

What rights do I have under Kansas law and this policy?

1. You have the right to inspect and obtain copies of public records that are not specifically exempted from disclosure by federal or state law.
2. You have the right to receive a written response to a request for access to public records within three business days.
3. If, in response to a request for access to public records, we inform you that additional time is required to produce the requested documents, you have the right to receive a detailed explanation for such delay, and an estimate of the earliest time such records would be available.
4. You have the right receive written notification in the event that a request for records is denied, including the specific legal authority cited for the denial.
5. You have the right to bring a private lawsuit or file a complaint with the Kansas Attorney General's Office if you believe that you have been wrongfully denied access to public records.

How do I request a record?

LWIA III's public information officer is the Executive Assistant/Public Information Specialist.

Open Records Custodian
Workforce Partnership
8040 Parallel, Suite 112
Kansas City, KS 66112
wib@workforcepartnership.com

Public information requests must be submitted in writing. A request submitted by facsimile or by electronic mail will serve as written requests. Requests should be as specific as possible to expedite the process of fulfilling the request. LWIA III will respond to the request within three business days. If LWIA III is unable to fulfill the request within three business days, it will provide a written explanation for the delay or denial.

You may view requested records on site, or you may request to have copies of the requested records sent to you. If you choose to view the records onsite, you must make an appointment with the Executive Assistant/Public Information Specialist.

Requestors will be charged a reasonable fee (which will not exceed actual costs) for access to records, copies of records, and staff time for processing the request, according to the following fee schedule:

Staff time	\$5.00 per quarter hour
Copying/printing fee	\$0.25 per single sided page

Local Workforce Investment Area III may require payment in advance before access is granted to public records.

**Local Area III
Workforce Investment Board
Board Policy**

Policy Number: #12-10-01

Subject: Public Comment Period

Issued: October 09, 2012

Programs: Workforce Investment Act Title IB

Contact: Trent Howerton at 913-287-1116 or
trenth@workforcepartnership.com

The following "Public Comment Period" policy shall apply to local area plans and all other documents where a public comment period is required.

In order to engage the public and solicit advise on the best way to use public funds, Local Workforce Investment Area III Inc. will have a minimum public comment period of 21 days for any local area plan or other public planning document.

It is the intent of the Local Workforce Investment Board that public sentiment will be used during the development of any local area plan and any other public planning document.

Public comments will be responded to and integrated into the local area plan and other public documents.

**Local Area III
Workforce Investment Board
Board Policy**

Policy Number: #11-04-01

Subject: Advertising WIA Training Funds and Reverse Referrals

Issued: April 01, 2011

Programs: Workforce Investment Act Title IB

Contact: Trent Howerton at 913-287-1116 or
trenth@workforcepartnership.com

The following "Advertising WIA Training Funds and Reverse Referrals" policy shall apply to all Eligible Training Providers approved on the local area Eligible Training Provider list.

To accurately project to the community the various training amounts allocated from WIA program, the following shall apply to local area Eligible Training providers:

- Approval from local area board staff must be made to ensure that the wording of advertisements for the availability of WIA training funds is not misleading
- Advertisements for specific programs must be on the local area Eligible Training Provider list prior to any such advertisements are made
- Local area board staff must respond within three (3) business days to inquiries made regarding advertising the availability of WIA training funds
- If a training program is approved in one State but not another (ex. Missouri and Kansas) the advertisement must delineate the State in which the program has approval

To set realistic expectations with potential WIA participants and with local area Eligible Training providers, the following shall apply:

- Potential WIA participants referred from an Eligible Training provider for the purpose of receiving WIA training dollars will be assessed for eligibility and suitability for either of the WIA Adult, Dislocated Worker

or other applicable funding stream by a Career Advisor in a timely manner.

- Career Advisors will educate potential WIA participants on the labor market, Eligible Training programs and available funding options that would best help meet the career goals of such potential WIA participant
- Career Advisors will always keep customer choice as a top priority when developing an Individual Employment Plan (IEP)

Non-adherence to this policy could result in the removal of programs and/or providers from the local area Eligible Training provider list. This policy is meant to reinforce the importance of occupational skills training in the workforce system. Funding streams have limits and limitations. Workforce Partnership is dedicated to diversifying the funds available for training participants in our local area.

WORKFORCE PARTNERSHIP REQUEST FOR PROPOSAL CONTACT POLICY

To ensure that we avoid real or apparent conflicts of interest in the request for proposals (RFP) process, and ensure a fair and open competition with equal opportunity for all qualified parties, anyone person associated with Workforce Partnership who has the power to influence the outcome of the selection process must adhere to these policies for contacts with potential RFP respondents.

The primary principle that guides this policy, and should guide all actions with respect to the RFP process is that we must strive to maintain an open competition with equal opportunity for all parties to compete. No entity can be given an advantage that all others do not have access to.

The following procedures will help to ensure that we creating a real or perceived advantage for one or more potential proposers through our contacts with those entities. For the purposes of this policy, "Workforce Partnership" refers staff of Local Workforce Investment Area III, Inc. (Board Staff) or

1. Contact with potential proposers is inevitable during the RFP period. Operation with our current contractor will need to continue, and several potential proposers may be parts of meetings (including Board Meetings) which Workforce Partnership staff or Board leadership may attend. All staff and decision makers must be aware of the possibility of contact with potential respondents.
2. Casual contact with staff of potential respondents should be avoided. Informal conversations should be limited. Social lunches or dinners with potential respondent staff should be avoided. Staff should not accept anything of value, including meals, from anyone associated with a potential respondent.
3. Bilateral meetings (between our staff/Board members and representatives of potential respondents) should adhere to the following standards.
 - Bilateral meetings convened by our staff should have agenda.
 - Minutes of detailed notes should be taken of the meeting. These notes should list all subjects discussed in the meeting.
 - Notes or minutes should list all attendees.
 - Beginning and ending times for the meeting should be noted.
4. For multilateral meetings (involving multiple parties, including Workforce Partnership and one or more potential respondents), the following standards must be adhered to.
 - Workforce Partnership representatives should take detailed notes of the meeting.

- Notes should list all subjects discussed in the meeting, and, to the extent possible, should list all attendees.
 - Notes should list meeting starting and ending times.
 - If the entity convening the meeting has prepared an agenda, a copy of the agenda should be attached to the notes.
5. Telephone calls should be treated as bilateral meetings, except that agendas are not required. All calls involving potential respondents should be logged. The log must list participants, the subject matter, and the approximate time of the call.
 6. E-mails with potential respondents should be saved.
 7. All documentation meeting the above criteria should be printed and kept in a central file. Board staff will be responsible for maintaining this contact file.
 8. No one from Workforce Partnership should participate in any conversation with the RFP with any potential respondent. Questions about the RFP from potential respondents should be noted, but not answered. These questions should be written and provided to the Executive Director. A staff response to the question will be developed and the question and answer will be posted on the Workforce Partnership web site. Respondents and potential respondents should be encouraged to submit their questions in writing following the procedures detailed in the RFP.
 9. Because the list of eventual proposers will not be known until the RFP deadline, if you are uncertain whether an organization is likely to be a respondent, that organization should be treated as a potential respondent. A list of organizations that have requested a copy of the RFP package is available from the board office.

**Local Area III
Workforce Investment Board
Board Policy**

Policy Number: #08-11-19

Subject: Target Industry Skill Goals

Issued: November 19, 2008

Programs: Workforce Investment Act Title IB

Contact: Trent Howerton at 913-287-1116 or
trenth@workforcepartnership.com

The Local Area III Workforce Investment Board (LWIB) strives to give all individuals the skills needed to compete in the Kansas City labor market. With limited Workforce Investment Act (WIA) funds, training dollars should be allocated to those Target Industries and Select Occupations defined by the LWIB.

The LWIB recognizes that different skills are specific to different industries. The LWIB will spend 95% of all WIA training dollars on those Target Industries and Select Occupations as defined. The LWIB will also respond quickly to employers as the needed skills change in the Kansas City labor market.

The LWIB also recognizes that some skills go beyond specific industries and occupations. Such skills are basic computer skills and soft skills. The LWIB will work to ensure that all individuals have the basic computer skills and soft skills necessary to compete in the changing Kansas City labor market.

Workforce Partnership Training Expenditure Policy

Policy and Procedures for Implementing Training Expenditure Monitoring Policy:

The nature of our budget and strategic decisions made by the LA III LWIB will make it difficult to meet the 40% benchmark of WIA Adult and Dislocated Worker funds spent on training set by the State. It is our understanding that this policy is a monitoring policy designed to assess how local areas are similar, but also how they differ in strategic approaches. In LA III, the approach is to use WIA funds as a means of supporting the workforce system, so a larger percentage of other grants and funding streams can be spent directly on client services. This approach is consistent with our integrated model of programs and funding streams. The LWIB directs our contractor to spend at least 20% of their WIA Adult and Dislocated Worker budget on direct client services. The LWIB has a target of 15-20% of total local area WIA Adult and Dislocated Worker funds to be spent directly on client services – training and supportive services both included.

Transfer Policy

Local Area clients who are enrolled in WIA Title IB who plan to move to another local area will be encouraged to transfer their case to the corresponding local area. Transferring the case will ensure continuation and successful completion of their service strategy. A transfer of a case may not be initiated without the approval of each local area administrative office. The following process will ensure the client is prepared for the transfer and that each area is engaged in the process.

- Prior to the transfer the current case manager will:
 - Submit a transfer request to the Administrative Office for approval.
 - The transfer request must include:
 - Client Name, SSN and Current Funding Stream
 - Current status
 - Reason for moving and new location
 - Description of completed services
 - Description of services which are in-progress and will need to be continued in new local area.
 - Outcomes obtained
- The AAO will review the transfer request and contact the corresponding local area administrative office.
- The administrative office staff from each local area will determine if the client's case should be considered a new enrollment or a transfer case. Local area's will consider the following:
 - Funding levels
 - Current local policies
 - Performance implications
- The new administrative office will assign a provider and/or case manager to assume the case or to open a new enrollment.
- Each local area administrative office will then approve the transfer request and make AJLA staff aware so that the electronic data can be properly changed.
- Once a new case manager has been assigned a conference call or face-to-face meeting will be set up with the client and each case manager. Depending on whether the client is considered a transfer or new enrollment, the previous case manager may be required to complete required follow-up.

Workforce Partnership

Youth Council Policy

Placeholder only. Current policy is out-of-date and needs to be updated to comply with new WIOA regulations.

**Local Area III
Workforce Investment Board
Board Policy**

Policy Number: #10-03-03

Subject: Youth Remediation Policy

Issued: March 03, 2010

Programs: Workforce Investment Act Title IB

Contact: Trent Howerton at 913-287-1116 or
trenth@workforcepartnership.com

The following "Youth Remediation" policy shall apply to all youth entering the WIA Year-Round Youth program.

To emphasize the importance of basic skills and to reinforce the goals of the WIA Year-Round Youth program, the Workforce Investment Board of Local Area III imposes the following policy:

- Any Out-of-School youth that is seeking WIA Year-Round Youth program services, and is deemed eligible for such services, who is also determined to be basic skills deficient shall be required to participate in remediation services as part of the WIA Year-Round Youth program and the services provided.
- Examples of remediation services include tutoring, adult basic education, GED preparation services and alternative schooling.
- This policy does not and should not preclude any eligible youth from participating in the WIA Year-Round Youth program and receiving services. Otherwise eligible youth in no way will be denied access to said WIA Year-Round services as a result.
- This policy applies to all Out-of-School youth who are determined to be basic skills deficient regardless of having a high school diploma or GED upon being determined otherwise eligible for WIA Year-Round Youth services.

This policy is meant to reinforce the importance of basic reading and writing skills in today's ever-changing workforce. Basic reading and writing skills are necessary to obtain any type of employment. These basic skills are just as

necessary for youth seeking post-secondary training opportunities. The Workforce Investment Board of Local Area III recognizes that today's youth is tomorrow's workforce.

Personnel

Workforce Partnership Benefits Policy

Leave

LWIA provides employees with paid time away from work for various purposes, including vacation, sick leave, holidays, jury duty, bereavement, and other reasons. All paid leave is subject to the same withholding as the employee's regular compensation. The various types of leave are described below.

Vacation

Full time employees and part time employees working at least 20 hours per week are entitled to paid vacation leave at their regular rate of pay. Full time employees earn 15 days of paid vacation per year, accrued at a monthly rate, so that employees earn 1.25 days (or 10 hours) of vacation for each month completed. Vacation leave for part time employees working at least 20 hours per week is pro-rated based on the number of hours worked in a week compared to a standard 40-hour workweek. Vacation is accrued when the employee is in work status. Employees do not accrue vacation while on leave without pay.

Vacation days must be scheduled in advance and approved by the Executive Director or supervisor. Requests for vacation leave of a week or more should be submitted to the supervisor at least two weeks in advance of the leave. Requests for lesser amounts should be submitted one week before the date(s) for which leave is requested. Non-exempt employees may request and take vacation leave in hourly increments; exempt employees may request and take vacation leave only in half-day increments. Requests for leave are not automatically approved, but every effort will be made to accommodate vacation requests when business circumstances permit.

Accrued vacation leave that is not used by the employee at the end of a calendar year will be carried forward to the next year. A maximum of 20 days of vacation leave for full time employees and a prorated maximum leave time for part time employees, will be carried forward from one calendar year to the next. Upon resignation or involuntary termination, employees will be compensated for up to 20 days (for prorated days for part time) of unused vacation leave.

Sick Leave

Full time employees and part time employees working at least 20 hours per week are entitled to paid sick leave at their regular rate of pay. Full time employees earn 10 days of paid sick leave per year, accrued at a monthly rate, so that employees earn 833 days (or 6.67 hours) of sick leave for each month completed. Sick leave for part time employees working at least 20 hours per week is pro-rated based on the number of hours worked in a week compared to a standard 40-hour work week. Sick leave is accrued when the employee is in work status. Employees do not accrue sick leave while on leave without pay.

Non-exempt employees may request and take sick leave in hourly increments; exempt employees may request and take sick leave only in half-day increments. Sick leave may be used for illness or injury when the employee is unable to work. Sick leave may also be used so

that the employee can care for a sick family member. Employees may also use sick leave to meet health needs, such as medical and dental appointments. Sick leave, however, may not be treated as vacation. Abuse of sick leave will be grounds for disciplinary action. Employees may be asked to provide documentation of the reason for taking sick leave, particularly for extended periods of leave.

Employees should notify the office each day when they will be absent from work due to illness, if at all possible, and as close to their scheduled starting time as possible.

Employees may accrue up to 90 days of sick leave. Upon resignation or involuntary termination, employees will not be compensated for unused sick leave.

Holidays

LWIA observes the following holidays:

New Year's Day	Independence Day	Friday after Thanksgiving
Martin Luther King Day	Labor Day	Christmas Day
Memorial Day	Thanksgiving Day	

Each employee will also have three floating holidays to be used in each calendar year. New employees floating holiday will be prorated based on employment. Floating holidays may not be carried forward from one calendar year to the next. Requests to use a floating holiday should be submitted to the supervisor at least one week before the day on which the holiday is to be used.

Regular full time employees will be compensated for eight hours of work on each of these holidays. Part time employees will be compensated based on the number of hours they are normally scheduled.

In most instances, when a holiday falls on Saturday, the official holiday will be the preceding Friday; when a holiday falls on Sunday, the following Monday will be the official holiday. At the beginning of each year, a calendar of official holidays will be made available to all employees.

Leave Without Pay

Employees who have used all available vacation leave and floating holidays (or in the event of illness, sick leave, vacation, and floating holidays) may be granted leave without pay, and the next regular paycheck will be adjusted accordingly. Requests for leave without pay must be approved by the Executive Director. Employees will not accrue vacation or sick leave while on leave without pay, but will continue to be eligible for insurance and other benefits, with the employee being responsible for paying the employee portion of the cost of those benefits.

Jury Duty

Employees of LWIA will be excused for jury duty. Employees on jury duty will continue to receive compensation and accrue benefits at their regular rates. An employee summoned for jury duty must provide his or her supervisor with a copy of the summons immediately after receiving it.

Bereavement Leave

Employees may take up to three days of paid bereavement leave for the death of a close family member. For the purposes of bereavement leave, the phrase “close family member” means the employee’s spouse, domestic partner, child, parent, sibling, grandparent, grandchild, mother- or father-in-law, son- or daughter-in-law, or step relative. Any leave taken beyond three days will be charged against the employee’s vacation leave balance, or taken as leave without pay if the employee has not accrued sufficient vacation leave.

Family Leave

Employees with at least six months of service may take up to six weeks of unpaid leave for any of the following family-related circumstances:

- The birth of a child;
- The placement of a child with the employee for adoption or foster care;
- To care for a child, spouse, or parent who has a serious health condition; or
- A serious health condition that makes the employee unable to perform his or her job.

Employees will be required to exhaust all accrued vacation, floating holidays, and (if applicable) sick leave before being granted unpaid family leave. The combined paid and unpaid time off cannot exceed six weeks.

Medical and dental insurance benefits will continue on the same basis as prior to the leave provided that the employee continues to pay his or her contribution as required before the unpaid leave. Employees will not accrue vacation or sick leave while on unpaid family leave.

LWIA may require medical certification to support a claim for leave for an employee’s own serious health condition or that of a child, spouse, or parent. If unpaid leave is taken for the employee’s own serious health condition, medical certification that the employee is able to work may be required before he or she is allowed to return to work.

Upon return from family leave, the employee will be restored to his or her regular job or an equivalent position provided such job would have been available had he or she not taken family leave, with the same rights and benefits that existed prior to the leave.

Military Leave

Employees are given leave to fulfill military obligations. Absences that are necessary to fulfill annual National Guard or reserve duty are considered excused absences. Employees taking such leave may elect to take either leave without pay or vacation leave. In both instances, employees will be allowed to retain their military pay for such service. Employees are required to submit a request for leave in advance, with a copy of their report orders documenting the need for such leave.

In the event that an employee’s National Guard or reserve unit is activated, he or she will be granted an unpaid leave of absence for the duration of his or her service. Upon the termination of active duty, the employee will be allowed 90 days to return to his or her position. Returning employees will be restored to their regular job or an equivalent position, with the same pay

and benefits that existed prior to the leave. Employees will not accrue vacation or sick leave while on unpaid military leave.

Special Leave

The Executive Director may grant special paid or unpaid leave to an employee in unusual circumstances. In the case of the Executive Director, such special leave may be granted only by the Board of Directors.

Insurance

All employees working at least 30 hours per week are eligible to receive insurance benefits. Eligibility for such benefits begins at the first day of the month following the employee's initial employment date. The section below provides only a general description of these insurance benefits. As availability and cost of carriers and products change over time, it is not possible to provide details of coverage in this policy document. LWIA reserves the right to change the nature of benefits offered, carriers, deductibles, premiums, or features of any benefit. Covered employees will be notified of any changes or discontinuations as soon as possible before such changes are to take effect.

Health Insurance

Employees working at least 30 hours per week are eligible to receive individual or family health insurance benefits. LWIA pays for the majority of the employee only coverage costs, with the employee responsible for the remainder. The employee portion of these costs will be deducted from payroll checks. Specific details of the health insurance benefits provided are available in a separate document.

Dental Insurance

Dental insurance benefits are also available to employees working at least 30 hours per week. As with health insurance benefits, employees may elect either individual or family coverage, with LWIA paying the majority of the employee only premiums, and the employee paying the remainder through payroll deductions. Specific details of dental insurance benefits are available in a separate document.

Life Insurance

Employees working at least 30 hours per week are eligible for employer paid life insurance coverage of \$35,000. Employees are responsible for completing the application for this coverage, designating beneficiaries, etc. Specific details of life insurance benefits are available in a separate document. Note: IRS rules require that employee life insurance values in excess of \$50,000 is taxable .

Retirement

Employees meeting the requirements of the organization's retirement plan are eligible to receive retirement benefits. **Employees become eligible to participate in the retirement plan after six months' service.** LWIA makes retirement contributions in the amount of five percent (5%) of qualifying employees' salary into a retirement account. Details of the retirement plan are available in a separate document.

Benefits Required by Law

Unemployment Compensation

LWIA pays 100 percent of the unemployment insurance premiums for each employee. This benefit is designed to pay unemployment compensations to employees who lose their jobs involuntarily for reasons other than misconduct.

Social Security

LWIA pays matching funds to the Social Security Administration under the Federal Insurance Contributions Act (FICA).

Workers Compensation

Workers Compensation is available to employees who experience injuries caused by their employment. Workers Compensation premiums are paid by LWIA.

Workers who are injured on the job should report the injury immediately to their supervisor or the Executive Director. Failure to report an injury immediately may affect your ability to receive Workers Compensation benefits. Because abuse of the Workers Compensation system could result in substantial financial cost to the organization and its employees, LWIA will investigate any claim suspected of being fraudulent, and will pursue all available legal action against any employee found to have engaged in fraudulent conduct. Filing a fraudulent claim will result in disciplinary action, up to and including termination.

Workforce Partnership Compensation Policy

Pay procedures

Employees are paid biweekly. Pay periods are two weeks, running from Monday of the first week through Sunday of the following week. Paychecks will be distributed on the second Friday following the end of the pay period. If a payday falls on a holiday, paychecks will be distributed on the previous working day.

In order to receive a paycheck, each employee must submit a time sheet signed by the employee and his or her supervisor. If the time sheet documents any leave taken during the time period, a leave request form signed by the employee and his or her supervisor must accompany the time sheet.

Overtime

Non-exempt employees are entitled to overtime pay at one-and-one-half times the normal hourly rate for each hour worked in excess of 40 in a work week. Overtime must be approved in advance by the Executive Director. A copy of the signed authorization for overtime must accompany a time sheet that lists overtime hours worked by an employee.

Expenses

Employees must obtain the advance consent of the Executive Director before incurring travel and related expenses for which they will seek reimbursement. Travel expenses are paid on a reimbursement bases only, at rates approved by the State of Kansas. Travel expense reimbursement requests must be made on the appropriate form.

Workforce Partnership Disciplinary Action

When LWIA determines that an employee's performance or conduct fails to meet established standards, or whenever the employment relationship has become problematic from LWIA's perspective, disciplinary action may be required. The LWIA will follow principles of progressive discipline, allowing employees to address disciplinary issues constructively and to correct actions or issues identified by management while imposing increasingly severe penalties for repeated instances.

LWIA's progressive discipline policy is based on the following principles:

- Where possible, discipline should be applied to be corrective and developmental;
- The sanction applied should be proportionate to the severity of the violation; and
- Where there is a pattern of repeated violations, progressively more severe sanctions should be applied.

In any case of disciplinary actions, the level of sanction will be considered on a case-by-case basis, taking into account the severity of the violation, the effect of the conduct on the organization, the disciplinary history of the employee, and the surrounding circumstances. While LWIA subscribes to the principles of progressive discipline, nothing in these policies shall preclude the organization from imposing higher level sanctions (including dismissal), even in the first violation for instance of inappropriate conduct.

Sanctions for inappropriate conduct or violations of LWIA policy are listed below, in ascending order of severity.

Counseling – The supervisor orally notifies the employee about a violation of policies or a failure to follow orders. The supervisor clearly states that he or she is providing counseling, and that future incidents will result in more severe sanctions. The supervisor clarifies what steps the employee should take to avoid further sanctions. In general, if no further violations occur within six months of the counseling, the matter is considered resolved, and sanctions for future violations of the same type would begin with counseling again. The supervisor should document that counseling occurred, but written records of oral counseling will generally not become part of the employee's personnel file.

Written reprimand – The written reprimand informs the employee of the nature of the violation or inappropriate conduct and details previous violations, as well as previous counseling or other actions the supervisor has taken to correct the conduct. The written reprimand describes corrective action that the employee must take to resolve the issue and states that if the employee does not demonstrate improvement, he or she will be subject to more severe sanctions. The written reprimand serves as a warning that stronger discipline can be imposed for continued violations. The employee will be given a copy of the reprimand, and a copy will be placed in the employee's personnel file.

Suspension without pay – When the violation continues to occur after the employee has received a written reprimand, or when a particularly serious offense occurs, the employee may be

suspended for one or more days without pay. The employee will be notified of the suspension, including the reason for suspension and what the employee must do to avoid further sanctions. The employee will also be informed that if the violation continues, he or she will be subject to more severe sanctions, including longer unpaid suspensions or dismissal. Documentation of the suspension will be included in the employee's personnel file.

A suspension without pay will be treated as leave without pay for the purposes of determining the employee's benefits. Suspended employees will continue to be eligible for insurance benefits, but will not accumulate vacation or sick leave while on suspension.

Dismissal – When misconduct or violations of policy continue after all other sanctions have been applied, or when the employee's conduct or failure to perform is serious enough to warrant separation from LWIA, the employee will be dismissed.

Workforce Partnership Employee Conduct

The items in this section represent basic standards of conduct that the LWIA expects each of its employees to follow. While we have tried to address the major areas of workplace conduct, these standards are intended to be guidelines for conduct, and not an all-inclusive list of rules and regulations. Absence from this list does not necessarily mean that a given behavior is acceptable; circumstances that were not anticipated in composing this list but requiring disciplinary action may arise from time to time.

Professionalism

Employees are expected to demonstrate professionalism in all of their actions. All employees should recognize that other people base their opinions about our organization on how they see us act. "Professionalism" means that employees should act in a way that reflects well on them and on LWIA. Employees are expected to treat others with civility and respect, to demonstrate a sense of pride in their work habits and products, and to strive to improve the way that they carry out their individual job duties.

Productivity

Employees should take pride in their work and in Local Workforce Investment Area III, Inc. Employees are expected to make the most of their time at work, producing high quality work of sufficient quality. This does not mean that employees cannot engage in brief conversations with co-workers or other brief breaks from their work, but employees are expected to recognize that during working hours, their focus should be on carrying out their job duties and the mission of the organization

Dress Code

The expectation that employees maintain a professional image extends to their personal appearance. Employees must attire themselves in a neat, clean, and businesslike manner. Shorts, jeans, T-shirts, sneakers, or other overly casual footwear are not acceptable, except on designated "dress down" days.

Conflict of Interest

It is critically important that employees of LWIA do not engage in conduct that creates a real or apparent conflict of interest between the LWIA and any other interest or obligation of the employee.

While acting as a representative of LWIA, no employee may engage in any activity or participate in any action benefiting the financial interest of the employee or a member of the employee's immediate family. For the purposes of determining whether a conflict of interest exists, the term "immediate family" means a parent, spouse, sibling, or child of an employee. Employees of LWIA cannot pursue outside interest while on LWIA time.

Employees of LWIA may engage in outside employment, provided that such outside employment does not interfere in any way with the performance of his or her LWIA duties. Such employment must occur outside the employee's normal LWIA working hours, and may not conflict with the mission, interest, or welfare of LWIA.

Employees may not accept gifts of value from clients, suppliers, or other parties who conduct business or seek to conduct business with LWIA. Employees are expected to recognize that receipt of such gifts, even when lawful, may create the appearance of favoritism. This prohibition does not preclude to acceptance of gifts of nominal value that are not related to any particular transaction or activity of LWIA, or food refreshments in connection with a business meeting. If an employee of LWIA has any question about the propriety of a gift, he or she should seek the advice of his or her supervisor and the Executive Director before accepting such a gift.

Nepotism

No employee of LWIA may be in a position of supervision of over an immediate family member, as defined above under the "Conflict of Interest" heading. No immediate family member of the Workforce Investment Board may be employed in any capacity by LWIA.

Political Activity

As a nonprofit corporation and an entity that receives federal and state funds, LWIA is subject to various federal and state laws governing the political activity of the organization and its employees. While we encourage employees to engage in political activity on their own time, it is essential that all LWIA employees understand and adhere to the limits on their political activity. Employees must be careful to avoid identifying the provision of any LWIA service or the carrying out of any of their job responsibilities with any particular political party, candidate, campaign, or viewpoint. When employees do participate in political activity, they must be careful to make known that they are acting as individuals, and not as representatives of LWIA. Employees may not campaign or solicit contributions for political campaigns during normal working hours or on LWIA premises.

Speaking to the Media

The Executive Director and the Chair of the Workforce Investment Board are the primary spokespeople for LWIA. No employee of LWIA any speak to the news media on any matter related to the mission and operations of the organization without prior consent of the Executive Director, unless such responsibilities are specifically incorporated into that employee's position description. Employees who receive requests for quotes, interviews, or information from a member of the news media should refer the request to the Executive Director. The Executive Director may delegate the responsibility for responding to such a request to another employee, when appropriate.

Confidentiality

While LWIA does not usually provide direct services to individuals, it is possible that employees may at times be exposed to sensitive, either about individual's personal lives or about companies' plans and strategies. LWIA employees have a legal and ethical duty to refrain from discussing such information with anyone outside the organization. Release of confidential information jeopardizes the integrity and reputation of LWIA, which could cause irreparable harm to our ability to carry out our mission.

Tobacco Use

So that we can provide a healthy environment for all employees, LWIA prohibits any form of tobacco consumption in its offices.

Alcohol/Controlled Substances

Employees are prohibited from being under the influence of alcohol or illegal drugs while at work. Employees may not bring, use, sell, purchase, or distribute alcohol or drugs while on any property owned or leased by or on behalf of LWIA, or while performing LWIA duties away from LWIA's offices. Included in this prohibition are legal controlled substances that have been illegally or improperly obtained, or are being used in a manner inconsistent with the prescribing doctor's orders. Employees are permitted to use over-the-counter medication consistent with product labeling and prescription medications that are used as prescribed.

If an employee suspects or finds evidence of alcohol or drug abuse, he or she could contact a supervisor. If the use of alcohol or drugs poses a threat to the safety of persons or property, employees are required to report the violation. Failure to do so could result in disciplinary action for the non-reporting employee.

Employees who violate the LWIA's substance abuse policy will be subject to immediate disciplinary action, up to and including termination. Employees will not be penalized for seeking or accepting counseling or treatment.

Theft

Unauthorized possession or use of any LWIA property will be considered theft and is grounds for dismissal as well as filing criminal charges.

Hostile Workplace Policy

LWIA is committed to providing for its employees an environment that is free from harassment and abuse of any kind. Conduct that unreasonably interferes with employee's performance or creates a hostile, intimidating or offensive working environment will not be tolerated. Such conduct includes harassment, violence or threats of violence, and abusive language.

Harassment

Any form of harassment, including harassment directed at an individual's race, religion, gender, age, national origin, citizenship status, ancestry, or disability is a violation of the

hostile workplace policy, and will be subject to disciplinary action. Harassment includes slurs or other offensive jokes or comments, whether verbal, written, or graphic, distributed or disseminated by any means.

In addition to the above conduct, sexual harassment includes the following types of behaviors:

- Unwanted sexual advances, comments, slurs, threats, jokes about gender-specific traits, or sexual propositions:
- Non-verbal conduct of a sexual nature, such as suggestive or insulting noises, obscene gestures, leering, displaying or distributing sexually suggestive pictures, cartoons or posters;
- Physical conduct, such as touching, pinching, brushing the body, impeding or blocking movements, or assault:
- Coercing sexual favors or tying employment benefits to sexual favors.

Violators of LWIA's harassment policy – sexual or otherwise – will be subject to disciplinary action, up to and including termination.

Employees who feel that they have been harassed by another employee should immediately notify their supervisor. Employees who are uncomfortable discussing the matter with their supervisor should contact the Executive Director or LWIA's designated Equal Opportunity Officer. If an employee feels that he or she has been harassed by the Executive Director, he or she should notify the chairperson of the Workforce Investment Board. All complaints of harassment will be investigated promptly, and will be treated with the highest possible degree of confidentiality. No employee will be penalized in any way for reporting an instance of harassment. Retaliation against an employee reporting harassment is a violation of this policy; employees found to be retaliating will be subject to disciplinary action. Employees should not assume that management is aware of harassment. It is the employee's obligation to bring such conduct to the management's attention, so that the issue can be resolved.

Workplace Violence

Workplace violence includes, but is not limited to, the use of physical force, offensive or uninvited touching of one person by another when done in an angry or rude manner, threats to cause bodily harm to another, stalking, or inciting another person to commit any of the above actions.

Employees who feel they are victims of acts of workplace violence or observe such acts should immediately notify their supervisor or the Executive Director. If they deem it necessary, employees should contact the appropriate law enforcement authorities. Employees found to be in violation of the workplace violence policy will be subject to disciplinary action, up to and including immediate termination. If a non-employee commits the instance of workplace violence, LWIA will take appropriate steps, including removal of the offending person, contacting law enforcement authorities, and/or pursuing legal action.

Abusive Language

Abusive language directed at co-workers, customers, vendors, clients, guests, or anyone else is a violation of LWIA's harassment policy, and will subject the employee to disciplinary action. Abusive language includes, but is not limited to cursing, using derogatory terms, slurs, or threats directed toward an individual.

Use of LWIA Property

LWIA provides employees with the equipment necessary to perform their jobs. This equipment should not be used for personal use, or removed from LWIA premises, unless authorized by the Executive Director. Misuse of LWIA equipment could result in disciplinary action.

The following policies apply to specific types of equipment:

Telephone – Employees may use the telephone to make or receive brief, infrequent calls to carry out pressing personal business. Employees should keep in mind that personal phone calls tie up phone lines, so personal calls should be kept as brief as possible. Long distance calls that are not business related are not permitted.

E-mail – Employees are given e-mail access to facilitate business communications. Employees should not use the e-mail system for personal use. Employees are strictly prohibited from using the e-mail system to send or receive pornographic, obscene, or offensive material. Violations of this prohibition will result in disciplinary action, up to and including immediate termination. Receipt of unsolicited obscene, pornographic, or unsolicited e-mail messages will not result in disciplinary action, but the employee receiving such messages should report it to management immediately.

Computers and e-mail systems are the property of LWIA, not the employees. Employee use of the Internet and e-mail may be monitored by the Executive Director, and employees should not expect their e-mail messages are private.

Internet – Internet access is provided to facilitate communication, research, and other job-related functions. While at work, employees should refrain from using the Internet for personal matters. Accessing pornographic or obscene web sites on LWIA computers is strictly prohibited, and will result in disciplinary action, up to and including immediate termination. Occasionally, a missed keystroke or other error can lead one to a pornographic web site by mistake. In the event that an employee does mistakenly enter an obscene or pornographic web site, that employee should notify management immediately.

Computer – Computers are provided for the business use of LWIA employees. Employees should refrain from using computer equipment for personal use. To guard against violating software licenses or introducing viruses or harmful software to LWIA computers, employees may not install software – including, but not limited to games or screen savers – onto LWIA computers without specific authorization to do so. Computers are the property of LWIA, so employees should not expect that any files or documents stored on their computer are private.

Other Equipment – The use of other LWIA equipment, including FAX machines and photocopiers, for personal use without prior authorization is strictly prohibited.

Insubordination

Insubordination or refusal to follow the instructions of one's supervisor concerning a job-related matter will subject the employee to disciplinary action. If an employee feels that a supervisor's instructions would require the employee or the organization to commit an illegal or unethical act. The employee should try to resolve the matter informally with his or her supervisor. If informal efforts do not satisfy the employee's concerns, he or she should notify the Executive Director.

Workforce Partnership Employee Grievance

Employees who feel that they have received unfair treatment in an employment-related matter may use the grievance procedure to resolve their concerns. Employees can expect that their use of the grievance procedure will not subject them to retribution by their supervisor or LWIA; employees will be treated with dignity throughout the grievance process. Employees may have another individual present with them throughout the formal grievance process.

Step One – Written Submission to Executive Director

After informal efforts to resolve the dispute have been exhausted, an employee wishing to have a grievance resolved should present the grievance in writing to the Executive Director. The grievance must be submitted in writing within five working days of the incident leading to the grievance. The grievance should describe the incident leading to the grievance, list the policy or procedure violated, and request a remedy. Within five working days of receiving the written grievance, the Executive Director must resolve the issue, suggest an alternative remedy, or provide the employee with a written response explaining why the employee's grievance is denied.

Step Two – Appeal to Executive Committee

If Step One does not resolve the grievance to the employee's satisfaction or if the Executive Director fails to respond to the grievance within five working days, the employee may appeal to the Executive Committee of the Board of Directors by requesting in writing a meeting with the committee. The appeal must be submitted within five days of receiving the Executive Director's response, or, if the Executive Director has failed to respond, within five days of the deadline for the Executive Director to respond. The Executive Committee will conduct a meeting within 15 days of receiving the request, and will return a written decision to the employee within 15 days of the meeting. The decision of the Executive Committee will be final.

Workforce Partnership Employment and Recruitment Policy

Non-discrimination

It is the policy and intent of Local Workforce Investment Area III, Inc. to provide equal employment opportunity for all persons regardless of race, color, religion, sex, national origin, age, disability, veteran status, or political affiliation or belief. This policy applies to all aspects of employment practices, including recruiting, hiring, promotion, demotion, training, compensation, benefits, layoff, recall, and termination. All LWIA facilities will comply with accessibility requirements of the Americans with Disabilities Act.

Recruitment and Hiring

Local Workforce Investment Area III, Inc. intends to recruit, hire, and place applicants on the basis of the applicant's relative knowledge, skills, and abilities. The decision to hire an applicant will be based solely on the individual's qualification for the particular position along with other requisite job skills.

When a new position is established, LWIA will prepare a job announcement identifying the position's responsibilities and qualifications for posting within the organization and for public notification. Posted positions will be open for a minimum application period of one week.

Whenever possible, Local Workforce Investment Area III, Inc. will post notices of vacancies on **KANSASWORKS.com**, and will give consideration to participants in programs funded by the Workforce Investment Act. Vacancy notices may be placed in other locations, such as major newspapers whose circulation includes parts of LWIA's service area.

Employee Classification

Regular/temporary. Employees are classified as either regular or temporary. Regular employees are employees hired without a specific termination date. Temporary employees are employees hired to fill a short-term need, with the understanding that their employment will not continue beyond a stated date or completion of a specified project or projects. In no case will a temporary position be construed as being a contract for a definite time. Temporary employees are not eligible for benefits.

Full time/part time. Employees are also classified as full time or part time. Full time employees are employed to work on a regular basis for at least 40 hours per week. Part time employees working fewer than 40 hours per week but at least 20 hours are entitled to leave benefits at a rate proportionate to the hours they work. Part time employees working fewer than 30 hours per week are not eligible for fringe benefits.

Exempt /non-exempt. Employees are classified as either exempt or non-exempt from overtime provisions of the Fair Labor Standards Act. Generally, exempt employees are employees whose jobs are primarily executive, administrative, or professional in nature.

Non-exempt employees are entitled to overtime pay for hours worked in excess of 40 in one work week. Exempt employees are not entitled to overtime pay.

Position Descriptions

LWIA will prepare position descriptions outlining the responsibilities and qualifications of each regular position. Each position description will also list whether the position is classified as regular or temporary, full time or part time, and exempt or non-exempt. As responsibilities and the needs of the organization change, position descriptions may have to be revised from time to time. Any changes to position descriptions must be approved by the Executive Director. New positions cannot be created without the approval of the Workforce Investment Board.

Workforce Partnership Hours of Work Policy

Work Day

Full time employment constitutes 40 hours per week. The normal full time workday is 8:00 AM to 5:00 PM, with a one-hour unpaid lunch period and two fifteen-minute breaks. The normal full time workweek is Monday through Friday. The Executive Director may approve flexible working hours for individual employees when such a schedule does not interfere with the operation of the organization.

Overtime

Non-exempt employees are entitled to receive overtime pay for hours worked over 40 in a single workweek. Overtime is paid at the rate of one-and-one-half times the employee's regular hourly rate for any hours worked in excess of 40. Only those hours actually worked will be counted in computing whether overtime is due. Scheduled and unscheduled time off, including holidays, sick leave, vacation leave, or time off for other reasons will not count as hours worked for this purpose.

Rearranged Time

Occasionally, special projects or events may require an employee to work more than eight hours in a given day. When a non-exempt employee is forced to exceed eight hours in a day, he or she may, with the approval of the Executive Director, take time off in the same workweek so that he or she does not work more than 40 hours in that week

Time Sheets

All employees are required to complete and submit time sheets at the completion of each two-week pay period. Time sheets must be signed by the employee and his or her supervisor. If the employee records leave time taken, time sheets must be accompanied by leave request forms signed by both the employee and his or her supervisor.

Attendance

Regular attendance is essential. Habitual tardiness and absenteeism interfere with the effective functioning of the organization, and unnecessarily burden other employees. Employees are expected to arrive at work on time. If an employee is unable to report to work on time, he or she must notify his or her supervisor as soon as possible. Records of unexcused absence or tardiness will be kept. Employees who demonstrate repeated problems with attendance or tardiness will be subject to disciplinary action, up to and including termination. The Executive Director may excuse an instance of tardiness if he or she determines that the lateness was unavoidable.

Inclement weather

In the event of inclement weather, such as heavy snow, severe storms, etc., the Executive Director may excuse tardiness, absences, or early departures from work, without penalty to the employees.

Workforce Partnership Performance Appraisal

Performance appraisal is an important part of the employee development process. Performance reviews are conducted to provide both the supervisor and the employee an objective assessment of the employee's strengths, weaknesses, and performance of his or her job duties. Performance reviews should be used to help the employee set goals and determine how he or she can improve his or her performance. Employees are encouraged to participate actively in their evaluations.

Performance reviews are based on the employee's job description and the goals and objectives established for the employee. At each performance review, both the employee and the Executive Director should review the job description and the goals and objectives, and re-write them as necessary. The mutually agreed-upon position description and goals and objectives will serve as the basis for the performance review. Any changes to position descriptions require the approval of the Executive Director.

For new employees, a performance review is conducted before the employee has completed six months on the job. Subsequent reviews are performed at least annually, but more frequent appraisals may be conducted as needed. Since addressing problems immediately can prevent many employment disputes, supervisors are encouraged to give employees more frequent feedback, both positive and negative, delivered in a constructive manner.

Performance reviews should be conducted on standard LWIA performance review forms. Upon completion of the performance review, both employee and the supervisor should sign the review form, as well as the revised position description and goals and objectives. The employee's signature does not necessarily indicate agreement with the review, but an acknowledgement that the review has been performed.

Workforce Partnership References and Records

Employment References

In the event of either voluntary or involuntary termination of employment, LWIA will not provide either positive or negative references. LWIA will verify the position, compensation, and dates of employment only. While employees may request references from supervisors, supervisors are not authorized provide information beyond that listed above on behalf of the organization. References provided by supervisors or co-workers represent solely the personal view of the person providing the reference.

Personnel Records

LWIA maintains personnel records for all employees. These files contain all important records connected with each person's employment with LWIA. It is important that these files be kept current. Employees should notify the LWIA of any changes to contact information, marital status, dependents, military status, emergency contacts, or other information that may affect the employee's employment status.

Personnel records will contain the following information:

- Contact information and emergency contact information;
- Employment application and/or resume;
- W-4 and I-9 forms;
- Signed form acknowledging receipt of personnel policies;
- Benefit forms signed by the employee;
- Forms documenting personnel actions;
- Performance reviews, position descriptions, and goals and objectives;
- Documentation of disciplinary actions;
- Letters of commendation or other records documenting exceptional performance;
- Leave tracking records, with signed leave request forms.

Personnel records are confidential. Only the employee, his or her immediate supervisor, and the Executive Director are allowed to view the contents of the employee's personnel file. Personnel records will be kept in the Executive Director's office.

Personnel records are the property of LWIA, but any LWIA employee has the right to review his or her own personnel file in the company of the Executive Director. Employees may receive copies of any of the material in their files at no charge to the employee.

Workforce Partnership Termination

As mentioned in the introduction, Local Workforce Investment Area III, Inc. is an “at-will” employer, which means that it or its employees may terminate the employment relationship at any time, with or without cause.

Voluntary Termination

Employees who voluntarily resign from LWIA should submit a written notice to their supervisor indicating their intention to resign. Employees are asked to provide such notice at least two weeks before their intended resignation date. If the employee leaves employment having not taken vacation that he or she has accrued, he or she will be paid for that leave at his or her regular pay rate, up to a maximum of 20 days for full time employees and a prorated number of days for part time employees. No payment will be made for unused sick leave or floating holidays.

Layoffs

As a private, non-profit corporation, LWIA is dependent on grant and donor funding for most of its activities. Because such funding is not always predictable, it may be necessary for the organization to lay off individuals. In determining which employee or employees to layoff, LWIA may consider any and all factors that it deems relevant, including overall organizational needs, qualifications and performance histories of employees, anticipated funding or programmatic changes, budgetary constraints, and other factors. Employees who are laid off will be paid for up to 20 days for fulltime employees and a prorated number of days for part time employees of unused vacation leave. Laid off employees are also eligible to receive unemployment compensation.

LWIA will lay off employees only as a last resort. LWIA will make every effort to give employees ample notice before layoffs. Laid off employees will be eligible for re-hire when budget and/or programmatic circumstances permit.

Dismissal

An employee may be discharged without notice if LWIA determines that his or her performance has been unsatisfactory, if he or she continues to engage in inappropriate behavior even after having received less severe sanctions (as outlined in the progressive discipline policy), or if he or she engages in behavior that is deemed sufficiently inappropriate to warrant immediate dismissal. Employees who are dismissed will not receive compensation for unused leave.

Fiscal

Accounting and Financial Management Requirements

1 Financial Management Systems

A financial management system is an information system comprised of one or more applications used to collect, process, maintain, accumulate, report, and transmit data about financial events. This definition incorporates the following activities typically taking place in most organizations:

- Recording financial transactions in the entity's books of account;
- Planning financial or budgeting activities;
- Accumulating and reporting cost information;
- Preparing and distributing financial statements; and
- Reporting and evaluating cost-related performance data.

A financial management system supports the financial functions required to track financial events, provide information significant to the financial management of the entity and/or required for the preparation of financial statements. The system encompasses automated and manual processes, policies, procedures, controls, data, hardware, software, and support personnel dedicated to the operation and maintenance of system functions. The system may include multiple applications integrated through a common database or electronically interfaced, as necessary, to meet defined data and processing requirements.

In assessing the adequacy of a contractor's financial management system Commerce may rely on readily available external sources of information such as audit reports, or may generate information through interviews with key personnel, questionnaires, and other means.

2 Minimum Standards for Financial Management Systems

Financial management systems shall comply with the following requirements

- Tracks specific program expenditures, any required matching expenditures and (where appropriate) potential stand-in costs by cost category, title, grant, and year of appropriation;
- Produces and reports data related to program performance;
- Minimizes data redundancy, encourages consistent formats for entering data directly into the system, and ensures consistent information is --
 - Collected for similar transactions throughout the entity;
 - Available to authorized users; and

- Provided to internal managers at all levels within the organization.
- Supports the organization's budget, accounting, internal reporting, and financial reporting processes;
- Includes internal controls as described in Chapter Two, Administrative Standards and Internal Control Systems;
- Provides financial information in a useful, timely manner to support the following:
 - Fiduciary role of management;
 - Legal, regulatory, and other special management requirements of the organization; and
 - Fiscal management of program delivery and program decision making.

As new financial and performance measures are established, organizations must incorporate the necessary information and reporting requirements into their financial management systems. The financial management system and processing instructions shall be clearly documented in hard copy or electronically and be readily available for examination. The original and all revisions to documentation shall be dated to indicate the effective date of the original and changes. Documentation shall be in sufficient detail to permit a person generally knowledgeable of the organization's programs and financial management systems to obtain a comprehensive understanding of the entity's financial operations.

On-going maintenance of the financial systems shall be performed to enable the system to continue to operate in an effective and efficient manner. The organization shall periodically evaluate how effectively and efficiently the financial management system maintains the integrity of the data and supports the organization's changing business practices and makes appropriate modifications.

The contractor shall have written policies and procedures to ensure all data necessary to prepare reports is captured and entered accurately. Data capture entails funneling all financial source documents to the accounting department. Accurate entry can be accomplished by a review of daily transaction registers produced by user and a comparison of a sample of source documents with the corresponding entry on the transaction register.

Written policies and procedures shall be established to ensure changes in reporting requirements are made when required. Responsibility for keeping current with laws and regulations should be assigned to someone with the ability to communicate any new requirements accurately. Adequate training and appropriate support shall be provided to the users of the financial management system based on their levels, responsibilities, and roles to enable the users to understand, operate, and maintain the system.

Written policies and procedures shall be established to ensure only properly authorized and accurate transactions are submitted for processing. All transactions should be authorized in advance and should show evidence of authorization. Similarly, transactions should be checked for accuracy, both mathematical and posting to the correct account, and should show evidence this occurred. Data entry personnel should be instructed to reject any transaction missing either of these indications.

Written policies and procedures shall be established to ensure access to data is restricted to only personnel with a need for such access. Such policies and procedures should incorporate the concept of an information officer, security officer, or database administrator to coordinate access to the financial management system. Restricted access to hard-copy reports, schedules, bank statements, and other financial data should be addressed.

3 Automated Financial Management System Development

Financial management system development and implementation shall seek cost effective and efficient solutions consistent with program quality. Customized software shall be developed for financial management systems only if it more cost effective and only after consideration of all other appropriate software options. The cost effectiveness of developing custom software shall be clear and documented. A benefit/cost analysis shall include a justification of the unique nature of the system's functions to preclude the use of alternative approaches. Cross servicing of financial management system support, where one department within an organization provides financial management software and processing support to another department within the organization, or private servicing through commercial vendors shall be used whenever feasible and cost effective, as a means to meet financial management system requirements. In cases where an organization determines it is more efficient and effective to use or adopt the software of another organization to meet its financial management system requirements the organization shall ensure the following:

- Software meets the financial management system requirements outlined above;
- Necessary support requirements, including implementation support and training, shall be assessed and determined to be adequate; and
- An ongoing relationship will exist with the provider for determining future enhancements of the software.

4 Financial Management System Improvements

Redesigns of financial management systems shall be based on the financial and programmatic information and processing needs of the organization. As part of any financial management system redesign effort, organizations must analyze how the system improvements, new technology to support financial management systems, and modifications to work processes will enhance agency operations and improve program and financial management.

The reassessment of information and processing needs shall be an integral part of determining the system's requirements. Process redesign shall be considered an essential step toward meeting user needs in program management, financial management, and budgeting. Organizations shall consider program operations, roles and responsibilities, and policies/practices to identify related changes necessary to facilitate financial management systems operational efficiency and effectiveness.

5 Generally Accepted Accounting Principles

Contractor financial management systems shall be structured to account for financial transactions in accordance with generally accepted accounting principles. Contractors may be local governmental units, nonprofit organizations, educational institutions, or for-profit entities. Contractors shall adhere to the pronouncements applicable to the specific type of entity. Local governmental entities shall follow promulgations of the Governmental Accounting Standards Board. Other entities shall adhere to promulgations of the Financial Accounting Standards Board and its predecessors.

Although the contractor shall not be required to establish a new accounting system to maintain financial data relating to contracts, the organization's existing system must meet specified minimum standards. The organization's accounting system must be capable of providing the financial information required by Commerce. Contractors shall establish separate accounts within its existing accounting system for accumulating and recording activities funded by Commerce.

6 Basis of Accounting

The basis of accounting refers to how revenues, expenditures, expenses, and transfers, as well as related assets and liabilities, are recognized in the accounts

and reported in the financial statements. Specifically, it is related to the timing of the measurements made, regardless of the nature of the measurement, on either the cash or the accrual method.

a Cash Basis

Under the cash basis of accounting, revenues are recorded in the accounts when cash is received, and expenditures are recorded only when cash is disbursed.

The cash basis of accounting is limited in its ability to accurately reflect the results of operations. In an organization with restricted funds, where more than one person has the ability to obligate funds, cash accounting increases the potential to overspend or misspend. Generally, cash accounting methods are only efficient or effective in small organizations where few decision makers have access to unrestricted funds.

b Accrual Basis

Under the accrual basis of accounting, most transactions are recorded when they occur, regardless of when cash is received or disbursed. Commerce recommends this method of accounting to all contractors. The accrual basis of accounting is the superior method of accounting for the economic resources of any organization. It results in accounting measurements based on the substance of transactions and events, rather than merely when cash is received or disbursed, and thus enhances their relevance, neutrality, timeliness, completeness, and comparability.

Contractor financial statements must be prepared based on the accrual method of accounting. Commerce strongly encourages its contractors to obtain an accounting package to facilitate accrual basis accounting and reporting.

c Modified Accrual Basis

The modified accrual basis of accounting is a hybrid of the cash and accrual basis. The modified accrual concept does not recognize all of the transactions inherent in the full accrual basis. For example, depreciation may not be recognized in the accounting records because it does not represent a true cost of producing revenues.

7 Fund Accounting

Fund accounting is not required. However, Commerce strongly recommends the accounting system be organized and operated on a fund basis.

Governmental accounting systems should be organized and operated on a fund basis. A *fund* is defined as a fiscal and accounting entity with a self-balancing set of accounts recording cash and other financial resources, together with all related liabilities and residual equities or balances, and changes therein, which are segregated for the purpose of carrying on specific activities or attaining certain objectives in accordance with special regulations, restrictions, or limitations.

The necessity of assuring legal compliance with each federal or state program precludes a contractor from recording and summarizing all governmental assistance financial transactions and balances in a single accounting entity. Unlike a private business, which accounts for funds as a single entity, Local Boards and other contractors, must account for several funding sources, each with specific purposes and spending requirements. Thus, from an accounting perspective, a Local Board is a combination of several distinctly different fiscal and accounting entities, each having a separate set of accounts and functioning independently of other funds.

Fund accounting facilitates accountability for restricted resources such as grants. Generally, the funds provided through Commerce should be accounted for in a *Special Revenue Fund* defined as a fund to account for the proceeds of specific sources legally restricted to expenditure for a specific purpose.

If a nonprofit organization chooses not to report using the fund format, all material resource restrictions must be disclosed in the financial statements.

Only funds required by law and sound financial administration should be established and maintained. Unnecessary funds result in inflexibility, undue complexity, and inefficient financial administration.

8 Required Accounting Policies and Procedures

Contractors are required to establish written accounting policies and procedures which provide current, accurate, and complete information regarding its day to day operations. The policies and procedures must address the following:

- Development, approval, and use of the organization's budgeting system;
- Methodology to deposit receipts into the bank and record and post in the accounting records, including appropriate separation of duties and other controls as necessary;
- Methodology to ensure accurate cash forecasting and the periodic review of fidelity bond coverage and collateral agreements;

- Methodology to disburse funds under the contract, including appropriate separation of duties and other controls as necessary;
- Methodology to ensure program income is accounted for appropriately;
- Determination of insurance coverage needed, and methodology to obtain the needed insurance;
- Processes to generate and distribute internal and external reports;
- Methodology to ensure competition when procuring goods and services;
- Methodology to obtain the goods and services once procured;
- Development, approval, and use of a reasonable cost allocation plan;
- Property custodianship and authority to obtain property, inventory of property, reconciliation of property records to accounting records, and appropriate other separation of duties and controls as necessary;
- Processes to obtain an independent audit in accordance with OMB Circular No. A-133, and to correct deficiencies noted and/or implement corrective action plan(s);
- Processes to monitor the financial activities of its subcontractors;
- Methodology for hiring personnel, including verification of meeting minimum qualifications, performing background checks, and making job offers;
- Methodology for promoting, giving raises, and terminating personnel are;
- Methodology for charging personnel costs to funding sources and/or cost categories;
Development and use of a plan for vacation, sick leave, and other absences (NOTE: may be included in the organization's Personnel Handbook is acceptable in lieu of being mentioned in the Accounting Policies and Procedures.);
- Determination of allowable travel costs, including cut-off times for application of per diem, where applicable; and
- Maintenance of data integrity.

Data integrity refers to the financial management system's ability to produce accurate and comparable information in compliance with applicable rules and regulations, and authorizing accessibility to data, whether in the form of financial books of account or financial reports.

Contractors shall ensure common terminology and classification is used consistently throughout its budget, accounts, and financial reports.

9 Budgeting

a Development

A *budget* is defined as the financial plan for the organization. It should specify the resources expected to be received during the fiscal year and the uses for those resources in meeting the organization's goals. The organization should develop an overall budget to list total expected revenues by contract, category, and year of appropriation. The budget should reflect total expected expenses, by functional classification, by cost category, and by year of appropriation.

Once the overall budget is prepared, it may be approved by the entity's governing board or it may be ready to be allocated to the various funding sources, and then presented to the Local Board for approval, depending on the requirements of the budget policies.

b Use as a Management Tool

Once the allocated budget is approved by the organization's governing board, it should be used to generate comparisons, at least quarterly, of budget versus actual results. A policy should prescribe the threshold above or below which budget variances should be explained. Several methods are available to affect the budget vs. actual comparison. The following are some ideas which may be used, and are not intended to be prescriptive in nature. The organization may use any method which communicates, to its governing Board, how well the organization is operating:

- The annual budget may be input into the accounting system. Monthly, the organization generates a comparison report, in total, by funding source, cost category and year of appropriation. The report show three columns: annual budget figures, actual year-to-date figures, and the variance. The variance column is the difference between budgeted amount and actual amount for each line item and each sub-total. The variance column includes a percent-of-budget column indicating the percentage amount the variance represents based on the budget figure. This percentage is compared with a percentage representing the number of months remaining in the entity's fiscal year. The variance threshold is expressed as the amount of percentage difference allowable between the two percentage figures. Because this method assumes costs are incurred at a stable rate throughout the year, it is important to know what circumstances, if any, account for budget variances.
- The budget may be divided into one month increments, which do not have to be equal but should reflect the anticipated level of operations for each month. Of course, a budget divided in this manner should have prior approval by the Local Board. A comparison report would list the same three columns, but without percentages. The variance threshold would be

stated in terms of a dollar amount. This budget reflects anticipated operations, but not actual operations due to unanticipated differences in activity levels.

- The budget may be shown as a graphical presentation to illustrate the comparison. By charting the dollar amount of each line item on the vertical axis and the months of the fiscal year on the horizontal axis, a comparison is affected by plotting actual year-to-date figures each month and noting the difference from a straight line, representing the budget for each month. The variance threshold is stated as a distance from the budget line. This method assumes activity occurs at a stable rate throughout the year.

c Projections

At least quarterly, the organization should perform a budget projection, which is an extension of cumulative actual operating results into the future, usually to the end of the entity's fiscal year. This extension is performed to predict possible budget overages and shortages, and to offer the entity the means to make compliance determinations. As with the budget-to-actual comparison, the budget projection may be accomplished in a number of different ways.

ADMINISTRATIVE STANDARDS AND INTERNAL CONTROLS

1 Administrative Standard

The proper stewardship of public resources, both state and federal, is a fundamental responsibility of Local Workforce Investment Area III, Inc. (LA III) and its partners. LA III must ensure government resources are used efficiently and effectively to achieve the intended program results. LA III must use resources consistent with the organization's mission, in compliance with applicable laws and regulations, and with minimal potential for waste, fraud, or mismanagement.

Organizations must develop administrative standards to ensure entities are accountable for the following:

- Financial results of actions taken by program and financial managers,
- Control of public resources and protection of public assets;
- Financial management systems to process and record financial events effectively and efficiently; and
- Quality and effectiveness of the materials and services provided to participants.

These standards exist to ensure complete, timely, reliable, and consistent information is available for decision-makers and the public.

2 Management Controls

In conjunction with their fiduciary roles, oversight boards must develop tools to help program and financial managers achieve results and safeguard the integrity of the programs. Management controls, organizational structure, policies, and procedures make up these tools.

Program and financial managers are responsible for the quality and timeliness of program performance, productivity, control of costs, mitigating adverse aspects of agency operations, and assuring programs are managed with integrity and in compliance with applicable laws and regulations.

Program and financial managers must establish controls to reasonably ensure the following:

- Obligations and costs comply with applicable laws and regulations;
- Assets are safeguarded against waste, loss, unauthorized use, or misappropriation; and

- Accounting transactions are recorded in the financial records of the entity in accordance with generally accepted accounting principles.

Program and financial management controls shall be an integral part of the entire cycle of planning, budgeting, managing, accounting, and auditing. These controls shall support the effectiveness and the integrity of every step of the cycle and provide continual feedback to management.

Program and financial managers must carefully consider the appropriate balance of controls in their programs and operations. Too many controls can result in inefficient and ineffective management leading to inefficient and ineffective programs and operations. Organizations must seek an appropriate balance between too many and too few controls. Management should benefit from controls, not be encumbered by them. Specifically, controls should not inhibit nor interfere with the effective and efficient delivery of services to clients.

3 Establishing Management Controls

Management controls are the organizational structure, policies, and procedures used by agencies to reasonably ensure the following:

- Programs achieve their intended results;
- Resources are used consistent with the mission of the organization;
- Programs and resources are protected from waste, fraud, and mismanagement;
- Laws and regulations are followed; and
- Reliable and timely information is obtained, maintained, reported, and used for decision- making.

Policies are the Local Workforce Investment Board's (LWIB's) guidelines concerning specific topics and may be stated in general or specific terms. For example, a travel policy may allow employees to be reimbursed 50 cents per mile for use of the employee's personal vehicle for business purposes. A procurement policy may state the organization shall strive to maximize competition in the procurement of goods and services.

In either event, procedures must pick up where policies leave off, specifying exactly how a policy will be accomplished. The travel procedures for the previous example may require employees to complete a mileage reimbursement form listing the date, destination, mileage, purpose, and total mileage. The form must be signed by the employee's supervisor and then turned in to accounting for processing. The mileage clerk will check the total mileage, mark the form to

indicate no changes are needed, and calculate the amount due. Similar instructions would be in place to guide the form through the control structure to produce a check the employee can cash.

Management controls, in the broadest sense, include processes for planning, organizing, directing, and controlling program operations. A subset of management controls are the internal controls used to ensure the prevention or timely detection of unauthorized acquisition, use, or disposition of the entity's assets or resources.

a General Management Control Standards

General management control standards are as follows:

Compliance with the Law - All program operations, obligations, and costs must comply with applicable laws and regulations. Resources should be efficiently and effectively allocated for duly authorized purposes.

Reasonable Assurance and Safeguards - Management controls must provide reasonable assurance assets are safeguarded against waste, loss, unauthorized use, and misappropriation. Management controls developed for agency programs should be logical, applicable, reasonably complete, effective, and efficient in accomplishing management objectives.

Integrity and Competence - Managers and employees must have personal integrity and are obligated to support the ethical standards of programs in their agencies. Effective management controls shall be developed and implemented and a level of competence maintained to allow managers and employees to accomplish their assigned duties. Effective communication within and between offices should be encouraged.

b Specific Management Control Standards:

Specific management control standards are as follows:

Delegation of Authority and Organization - Managers shall ensure appropriate authority, responsibility, and accountability are defined and delegated to accomplish the mission of the organization. Managers shall establish and implement an appropriate organizational structure to effectively carry out program responsibilities. To the extent possible, controls and related decision-making authority should be in the hands of staff and their immediate supervisors.

Separation of Duties and Supervision – LA III shall assign key duties and responsibilities to individuals to ensure one individual does not perform two or more incompatible functions of authorizing, processing, recording, and reviewing official accounting transactions. Where the LWIB staff is insufficient to effect appropriate separation of duties, management will document these inefficiencies and attempt to resolve as quickly as possible. Managers are expected to exercise appropriate oversight to ensure individuals do not exceed or abuse their assigned authorities.

Access to and Accountability Over Resources - The LWIB shall limit access to resources and records to authorized individuals; accountability for the custody and use of resources shall be assigned and maintained.

Recording and Documentation - Transactions shall be promptly recorded and properly classified and accounted for in order to prepare timely and reliable financial and other reports. The documentation for transactions, management controls, and other significant events must be clear and readily available for examination.

Resolution of Audit Findings and Other Deficiencies - Managers shall promptly evaluate and determine proper actions in response to known deficiencies, reported audit and other findings, and related recommendations. Managers shall complete, within established time frames, all actions to correct or otherwise resolve appropriate matters brought to management's attention.

4 Description of Internal Controls

The internal control structure is divided into the following elements:

- *Control Environment* – The overall awareness and actions of management concerning the importance of control;
- *Accounting System* - The methods and records established to identify, assemble, classify, analyze, record, and report financial transactions and maintain accountability for the assets; and
- *Control Procedures* - Policies and procedures management has established to provide reasonable assurance specific objectives are achieved.

NOTE: Additional information on internal control structures can be found in Statement on Auditing Standards No. 78, promulgated by the American Institute of Certified Public Accountants (AICPA) Auditing Standards Board.

Basic mechanisms used to promote effective internal controls include the following:

- Separating duties by assigning different people the responsibilities of authorizing transactions, recording transactions, and maintaining custody of assets;
- Designing and using adequate documents and records such as pre-numbered documents to ensure proper recording of transactions;
- Ensuring adequate safeguards over access to and use of assets and records, such as providing secured facilities to limit access to computer programs and data files;
- Periodically reviewing internal performance and the valuation of recorded amounts, such as clerical checks, reconciliation, and comparison of assets on-hand with accounting records and user review of computer-generated reports.

5 Objectives of Internal Controls

LA III shall utilize an internal control structure to establish a financial management system to ensure overall integrity and control of program resources. LA III's internal control system must meet the following objectives:

- Monitor the efficiency, accuracy, and effectiveness of program and support operations;
- Ensure assets are safeguarded against waste, loss, and unauthorized use or disposition;
- Ensure all transactions are properly authorized; and
- Ensure all transactions are recorded promptly and accurately.

All financial and control policies and procedures must be in writing

6 Specific Requirements for Internal Controls

The following are specific requirements LA III incorporates into its internal control systems. We must be able to substantiate deviations based on factors unique to their individual operations or programs. It shall ensure the following objectives are achieved related to the specific area involved:

a Paying Liabilities and Recording Disbursements

The following internal controls shall be in place related to paying liabilities and recording disbursements:

- Purchases are approved by management in writing and in advance of the purchase;
- Documentation substantiating approval is maintained for each purchase;
- Procurement documentation is maintained to substantiate goods and services are purchased at the best possible value. Departures from this rule shall be justified in writing and maintained in the procurement file;
- Complete audit trail exists for each purchase. An audit trail is comprised of a source document trail and a transaction posting trail. The source document trail includes, but is not limited to, an approved purchase order or requisition request, receiving report, vendor's invoice, and a canceled check for each voucher or payment. A transaction posting trail includes, but is not limited to, a general journal or specialized journal posting and a general or specialized ledger posting;
- Limited authorized personnel are responsible for signing checks;
- Each check is reviewed to ensure the name of the payee and the amount of the invoice agrees with those on the check;
- Invoices shall be cancelled when checks are signed and payments are released to prevent duplication of payment. Cancellation may occur by stamping "PAID" on an invoice or indicates appropriate general ledger coding and management
- Only original invoices shall be paid;
- Checks shall not be made payable to "Cash" or "Bearer", nor shall blank checks be issued;¹
- Access to blank check forms and signature plates shall be limited to authorized personnel;
- Trial balances shall be prepared monthly;
- Bank accounts shall be reconciled monthly; and
- Payroll is supported by time and effort records and disbursed in a secure manner.

(see specific detailed procedures)

c. Personnel Actions

Complete and accurate documentation shall be completed at the time employees are hired or terminated and any payroll changes are made. Other personnel actions to be documented include the following:

- Attendance records, including supervisory approval, shall be kept regarding each employee;
- Payroll checks shall be distributed only to properly identified employees, with unclaimed payroll checks stored in a secured manner;
- Access to locked storage areas shall be by authorized personnel only;
- See Personnel Guidelines Handbook for specific policies;

d Automated Accounting Systems

Computerized accounting systems require additional controls. It is necessary to protect both the automated system, as well as the information stored in the system. At a minimum, both system controls and physical controls shall be addressed. System controls consist of administrative controls including personnel controls, security testing, and documentation of procedures. Physical controls consist of limitations placed on physical access to system components including building security, network controls, cable routing, data backup, user work areas, and assigned security levels.

Standard methods of operation to protect computerized accounting systems normally include the following:

- Administrator is formally designated to oversee the system;
- Each individual using the system has a unique password linked to specific duties;
- Individuals have access only to accounting system areas necessary to perform their assigned duties; and
- Backup files are created at least weekly. More frequent backup may be appropriate to organizations with a high volume of transactions.
- This function is currently outsourced to AGH; our paymaster, supervised by the CFO.

The following is a list of items to be considered in developing and implementing a computerized accounting system.

- Access to program documentation should be limited to only those programmers who need it to perform their duties;
- Unauthorized personnel should be prohibited from updating or deleting production data files through the use of software and passwords;

- All activity should be recorded and reviewed for propriety by user staff;
- Access by individuals should be controlled through the use of passwords, including the restriction of certain transactions to appropriate individuals;
- Transactions should be authorized and approved before input;
- Control totals of source documents should be reconciled with accumulated totals of transactions after posting and edit;
- Source documents should be canceled (hole-punched, marked, stamped, or initialed) after data entry to prevent duplicate entry;
- To ensure update of the correct master file in a mainframe environment, new data to be processed should be entered with the old data to be replaced and compared to the master file;
- Ability to override and bypass data validation and editing should be controlled by the following:
 - Limiting the capability of supervisors to only a limited number of situations;
 - Logging and review all overrides and bypasses; and
 - Separating duties to ensure one individual does not prepare more than one type of the following transactions:
 - Entering budget and changing or updating budget;
 - Entering revenue and receivables;
 - Entering check register and preparing bank reconciliations; and
 - Entering expenditures and accounts payable.
- Source documents should include type of transaction, amount, and identification of preparer and approval of the transaction;
- Personnel should be cross-trained to ensure continued operation of the application is not dependent upon one individual;
- Schedule for data backup should depend on the cost in personnel time to recreate previously input data if it is lost;
- Current documentation, program files, and data backup files should be backed up and maintained at an off-premise storage location;
- Computers should be checked for viruses at start-up, or at least every time a new disk is introduced, or every time the Internet is accessed;
- Procedures should be developed for use in the event of a computer outage;
- Arrangements should be in place to secure off-site processing in the event of a computer outage;
- Someone should be responsible for reviewing the output for completeness and checklists or written procedures should be developed for these output reviews;
- Control totals should be reconciled;
- Transactions should be traceable from output back to source documents;
- Reports should be received on a timely basis;

- Periodic evaluations should be conducted to determine whether current reports could be eliminated, combined, modified; and/or replaced by entirely new reports;
- Written procedures should be in place for distribution of output with a distribution list for each type of output report;
- Distribution lists should indicate the frequency of each type of output; and
- Confidential output should be shredded when no longer needed.

7 Effects of Written Policies/Procedures on Internal Controls and General Operations

The proper performance of control procedures requires employees understand their responsibilities and have access to the Standard Operating Procedures Manual. It is essential managers recognize control requirements and be actively involved in the development and maintenance of controls.

The quality of the general control environment serves as a basis for predicting the plausibility of effective operation of specific controls. This environment should be assessed by management and the auditor/monitor as a first step in the review of controls.

COST ALLOWANCES

1 Standard Cost Principles

This chapter provides general guidance to define allowable costs, described criteria and conditions such as prior approval, and specific types of costs addressed either in OMB circulars on cost principles or in authorizing regulations. It contains the following sections:

- Allowable vs. Unallowable
- Selected Items of Cost
- Specific WIA Conditions
- Attachment – Summary of Cost Items

2 Cost Allowable vs. Unallowable

The criteria contained in the OMB circulars on cost principles provide the basic guidance on determining whether costs are allowable in ETA-funded programs covered by the manual. It is important sub grantees be aware OMB circulars are designed to offer guidance to determine allowability of costs and should be used as the first source of reference. It is possible such a cost would be automatically allowed or prohibited. The cost should be treated consistent with the standards provided for similar or related costs. If a cost is not specifically treated within the applicable circular or regulation governing allowable costs (e.g., OMB Circular A-87, Attachment B), the general cost principles of the applicable circular or regulation are used to determine whether the cost is allowable.

All sub grantees must be familiar with OMB circulars and the appropriate USDOL Employment and Training Administration (ETA) program regulations. Costs may be allowable per the OMB circulars, allowable per the circulars but with conditions, or allowable per the circulars but unallowable per ETA regulations. Similarly, some costs are allowable but only with prior approval of either the USDOL Grant Officer or the Department of Commerce.

The following examples attempt to delineate commonly incurred costs as they would apply to a particular type of grantee or sub grantee, state or local government, nonprofit organization, institution of higher education, or commercial organization. The discussion in this chapter focuses mainly on direct costs, not indirect costs:

Travel - Reasonable travel costs necessary to effectively manage the grant, provide oversight and measure program effectiveness are allowable. Air travel, when

necessary, should be obtained at the lowest possible customary standard (coach or equivalent fare). All OMB circulars treat these costs as allowable.

Training - ETA-funded grantee's professional development and training costs are allowable. Under WIA these are called "capacity building" costs. Consistent with the "necessary and reasonable" provisions, sub grantees should ensure training is relevant to specific ETA-funded programs or result in increasing the effectiveness of staff working on an ETA-funded program.

General Government Expenses - Sub grantees should avoid charging general government expenses to an ETA-funded grant. The costs of chief executives, legislatures (including city and county councils), judiciary and prosecutors, and public safety (fire and police) are unallowable unless provided otherwise in the grant. These costs are specifically treated in OMB Circular A-87.

Public Outreach and Advertising - Grantees should be familiar with how their applicable OMB circular deals with costs for public outreach, community relations, and advertising. Advertising and media costs associated with publicizing an ETA-funded program solely to promote the organization, or costs not directly related to the ETA program providing the funding are considered unallowable. OMB circulars and WIA regulations contain specific requirements and prohibitions related to the use of advertising and advertising media and are quite specific on the conditions under which public relations costs are allowable. In a One-Stop setting, partner programs may have other restrictions in their particular authorizing legislation or regulations. Determining the appropriateness of the cost and allowability for specific programs is a key responsibility for One-Stop operators.

Interest - Sub grantees should be familiar with how their respective circular addresses interest expenses, as differences exist across circulars. Generally, interest on borrowed capital is unallowable. However, interest on payments for equipment bought on time payments is allowable as a direct cost under certain conditions. Again, sub grantees should review the guidance in their relevant circular.

Pre-Award Costs - Unless authorized in writing by the USDOL Grant Officer (for direct grantees only and to the extent they would have been allowable if incurred post-award), pre-award costs cannot be charged to an ETA grant. Pre-award costs are not authorized for formula grantees.

Capital Asset Costs - Capital assets are noncurrent assets (assets not available or cannot be made available to finance current operations). Capital assets are the result of capital expenditures and include items such as land, buildings, and

equipment. Expenditures for land or building improvements as well as building and equipment repairs or maintenance expenditures to increase the value of a capital asset or increase its estimated useful life are identified as capital expenditures in federal regulations. OMB Circular A-87 Attachment B, Item 19 provides the guidelines on the allowability of expenditures for capital assets, guidelines on conditions, and applicable prior approval requirements. The costs of capital leases are treated in the same manner. The following are requirements for capital expenditures:

- OMB Circular A-87 requires the approval of the grantor agency for capital expenditures. This approval authority has been delegated to the states for the formula grants; and to the extent state procedures for state organizations are sufficient to define the allowability of ETA capital asset acquisition costs and do not inappropriately constrain non-state organizations, state policy is applicable to non-state governmental sub grantees.

Leasing - Interest costs associated with capital leases and other lease-purchase arrangements are allowable if they are reasonable and allocable to the grant pursuant to the specific criteria identified in applicable OMB cost principles. Lease-purchase arrangements for real property are unallowable under WIA programs. Permissible lease costs of real property are limited to operating leases, not capital leases.

Start-Up Costs - Costs associated with the start-up of a business are not allowable under the provisions of WIA Section 181(e). This prohibition also applies to start-up costs associated with entrepreneur training and start-up costs of any business to provide services to WIA clients. However, the purchase of equipment (with appropriate prior approval) is an allowable cost. Additional examples of unallowable activities are contained in WIA and other program regulations. These examples are but a few of the specific items of cost addressed in the OMB circulars and program regulations. Grantees and sub grantees are urged to become familiar with their relevant OMB circular.

Note: Prior approval authority has been delegated to Commerce for ETA-funded formula grants. For competitive grants prior approval authority remains with the USDOL Grant Officer. For sub grantees, prior approval authority rests with the awarding entity.

3 Selected Items of Cost

Within OMB Circulars A-21, A-87, and A-122 and USDOL Regulations 48 CFR Part 31, there are specific discussions of items of cost. Sub grantees should be familiar with these items and use the circulars and regulations as references. Some items are treated one way in one circular, and may not be treated the same way in another. Similarly, some allowable costs are not addressed at all in the OMB circulars. Some cost items require prior approval or are allowable per a circular, but are unallowable by ETA program regulations. For competitive grantees the USDOL Grant Officer is the approving authority and for ETA-funded formula grants Commerce is the approving authority. The reference chart in Section 5.05 is a summary of cost items mentioned in the applicable circulars and regulations.

Grantees should also be familiar with the administrative cost limits as outlined in USDOL Regulations 20 CFR 667.200. Grantees and sub grantees are urged to consult their applicable circular and to be cognizant of particular program requirements related to administrative cost limits.

4 Specific WIA Conditions

In addition to the allowable cost provisions of the OMB circulars, WIA regulations contain a number of provisions related to allowable and unallowable costs and activities. These provisions are as follows:

- Any legal expenses incurred for the prosecution of claims against the government are unallowable. This includes appeals to the Administrative Law Judge of disallowed costs or other claims and civil actions where the federal government is a defendant (USDOL Regulations 20 CFR 667.200(c)(6)).
- With four exceptions, the costs of construction or purchase of facilities are unallowable for all WIA Title I programs (USDOL Regulations 20 CFR 667.260). The conditions in the appropriate OMB circular would apply to the excepted construction costs. The exceptions are listed below:
 1. To meet obligations for access and accommodation under the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act (ADA) of 1990, as amended;
 2. Repairs, renovations, and capital improvements of real property, including the following:
 - State Employment Service Agency (SESA) real property (identified at WIA Section 193), or
 - Job Training Partnership Act (JTPA) owned property transferred to WIA Title I programs;

3. Job Corps facilities;
 4. Construction-related disaster relief projects.
- In addition to restrictions described in appropriate OMB circulars or the FAR, WIA also prohibits certain activities. All costs associated with an unallowable activity are considered unallowable costs, regardless of their allowability under other circumstances. Prohibited activities are as follows:
 - Employment-generating activities, including economic development activities. An exception is made only for those employer outreach and job development activities directly related to participants. Employment-generating activities are addressed in USDOL Regulations 20 CFR 667.262.
 - Public service employment, except to provide disaster relief employment (USDOL Regulations 20 CFR 667.264(a) (2)).
 - Wages of incumbent employees participating in statewide economic development activities (USDOL Regulations 20 CFR 667.264(a) (1)).
 - Employment or training programs for sectarian activities. This does not prohibit the provision of services by faith-based organizations, unless those services are sectarian in nature (USDOL Regulations 20 CFR 667.266 and 29 CFR 37.6(f) (1)).
 - The regulations prohibit the use of WIA funds for business relocation, if the relocation results in the loss of jobs at the original location within the United States. The use of WIA funds for customized or skilled training, on-the-job training, or company-specific job applicant assessments are prohibited for the first 120 days a relocated business operates in the new location. The regulations require Commerce develop specific pre-award criteria prior to providing WIA funds to a new or expanding business to ensure compliance with this requirement (USDOL Regulations 20 CFR 667.268).

5 COST ITEMS

The reference chart below is a summary of cost items mentioned in the applicable circulars and regulations Summary of Cost Items. Some of the costs on the chart

are allowable under the circulars and prohibited under WIA or other program specific regulations.

NOTE: Refer to the program-specific regulations on allowability of a particular cost. This chart is for reference only.

CHART KEY

NT Not included in circular
 A Allowable
 AC Allowable with conditions
 AP Allowable with prior approval of either the USDOL Grant Officer or Commerce
 U Unallowable
 A/U Some categories within the particular activity are allowable, while some are not (consult respective circular for precise explanations)

	Activities	Circular A-21	Circular A-122	Circular A-87	48 CFR Part 31
1	Accounting systems	NT	NT	A	NT
2	Advertising and public relations	AC	AC/U	AC/U	AC
3	Advisory councils	NT	NT	A	NT
4	Alcoholic beverages	U	U	U	U
5	Alumni activities	U	NT	NT	NT
6	Asset valuations resulting from business combinations	NT	NT	NT	A
7	Audit services	See A-133	See A-133	A	NT
8	Automatic electronic data processing	NT	NT	AC	NT
9	Bad debts	U	U	U	U
10	Bid and proposal costs (See Item 65)	Item 65	Reserved	Item 65	Item 65
11	Bonding costs	NT	A	A	NT
12	Budgeting	NT	NT	A	NT
13	Civil defense costs	A	NT	NT	A/U
14	Commencement and convocation costs	U	NT	NT	NT
15	Communication costs	A	A	A	NT
16	Compensation for personal services	A/U	A/U	A/U	A/U
17	Contingency provisions	U	U	U	U
18	Cost of money (See Item 40)	U	U	U	AC
19	Deans of faculty and graduate schools	A	NT	NT	NT
20	Defense and prosecution of criminal and civil proceedings, claims, appeals, and patent infringement	U	U	A/U	U
21	Deferred research and development costs	NT	NT	NT	AC/U
22	Depreciation and use allowances	AC	AC	AC	AC

23	Disbursing service	NT	NT	A	NT
24	Donations and contributions	U	U	U	U
25	Economic planning costs	AC/U	AC/U	AC/U	NT/U
26	Employee morale, health/welfare costs & credits	A	A	A	U
27	Entertainment costs	U	U	U	U
28	Equipment and other capital expenditures	A/U	AP	AP	AP
29	Executive lobbying costs	U	U	U	U
30	Fines and penalties	U	U	U	U
31	Fund raising and investment management costs (See Item 40)	NT	NT	U	U
32	Gains and losses on disposition of depreciable property and other capital assets and substantial relocation of Federal programs (See Item 64)	NT	NT	A	A
33	General government expenses	NT	NT	U	NT
34	Goods/services for personal use	U	U	NT	NT
35	Goodwill	NT	NT	NT	U
36	Housing and personal living expenses	U	AC/U	NT	NT
37	Idle facilities and capacity	NT	AC/U	AC/U	AC/U
38	Independent research and development	NT	Reserved	NT	AC
39	Insurance and indemnification	A	A	A	A
40	Interest, fund raising, and investment management costs	A/U	A/U	A/U	U
41	Labor relations costs	AC	AC	NT	AC
42	Lobbying	U	U	U	U
43	Losses on other sponsored agreements/contracts	U	U	U	U
44	Maintenance and repair costs	A	A	A	A
45	Manufacturing and repair costs	NT	NT	NT	A
46	Manufacturing and product engineering costs	NT	NT	NT	A
47	Material costs	A	A	A	A
48	Meetings and conferences	NT	A	See Item 2	See Item 2
49	Memberships, subscriptions, and professional activity costs	A/U	A/U See Item 2	A/U See Item 2	NT
50	Motor pools	NT	NT	A	NT
51	Organization costs	NT	AP	NT	U
52	Other business expense	NT	NT	NT	A
53	Overtime, extra-pay shift, \$multi-shift premiums	NT	AC	AC	See Item 16
54	Page charges in professional journals	NT	A	NT	NT
55	Participant support costs	NT	A	NT	NT
56	Patent costs	A	A/U	NT	A/U
57	Plant protection costs	NT	NT	NT	A
58	Plant reconversion costs (See Item 68)	NT	NT	NT	U
59	Plant security costs	U	A	NT	NT
60	Pre-agreement costs (See Item 61)	U	NT	NT	NT
61	Pre-award costs	NT	AP	U (formula)/ AP	NT

62	Pre-contract costs (See Item 61)	NT	NT	NT	AP
63	Professional services costs	A	A	A	A
64	Profits and losses on disposition of plant equipment/other capital assets	A	A	See Item 32	See Item 32
65	Proposal costs (See Item 10)	AP	Reserved	AP	AP
66	Publication and printing costs	NT	A/U	A	NT
67	Rearrangement and alteration costs	A	A	A	NT
68	Reconversion costs (See Item 58)	A	A	A	NT
69	Recruiting costs	A/U	A/U	See Item 2	A
70	Relocation costs	NT	A	NT	A/U
71	Rental costs of buildings and equipment	AC	AC	AC	AC
72	Royalties and other costs for use of patents	A	A	NT	A
73	Sabbatical leave costs	A	NT	NT	NT
74	Scholarships and student aid costs	A	NT	NT	NT
75	Selling and marketing	U	U	NT	A/U
76	Service and warranty costs	NT	NT	NT	A
77	Severance pay	AC	AC	AC	AC
78	Special tooling and special test equipment costs	NT	NT	NT	A
79	Specialized service facilities	A	A	NT	NT
80	Student activity costs	U	NT	NT	NT
81	Taxes	AC	AC	AC	AC
82	Termination costs	NT	A	NT	A/U
83	Trade, business, technical, and professional activity costs	AC	AC	AC	AC
84	Training and education costs	AC	AC	AC	AC
85	Transportation	AC	AC	NT	AC
86	Travel costs	AC	AC	AC	AC
87	Termination costs applicable to sponsored agreement (See Item 82)	A	NT	NT	NT
88	Trustees	A	A	NT	NT
89	Under recovery of costs under fed agreements	U	U	U	U

FINANCIAL REPORTING

1 Financial Statement and Financial Reports

Financial statements, prepared in accordance with generally accepted accounting principles, communicate financial information to interested users, facilitate management control of the organization's financial operations, and provide financial data to oversight bodies. Users of the organization's financial information include managers, members of the contractor's governing board, legislative officials, creditors, financial analysts, contributors, the general public, and others having a need for publicly-supported workforce development program information. According to generally accepted accounting principles, financial statements include a statement of financial position (often called a balance sheet), an operating statement (sometimes called an income statement), statement of cash flow, and related notes and disclosures. Financial reporting is the process by which financial statements are produced and distributed.

a Nonprofit Organizations

Nonprofit organizations account for financial transactions according to the type, or lack, of restriction placed on the funds. Unrestricted funds, temporarily restricted funds, and permanently restricted funds comprise the three fund types in nonprofit organizations. Since a contractor must be able to account for funds received to a level of expenditure sufficiently detailed to allow a reviewer to determine funds have not been used inappropriately, the nonprofit organization's contractor will not be able to maintain their general ledger solely according to fund restrictions. For example, a WIA Adult Program contract must be accounted for separately from a WIA Youth Program contract, even though both are temporarily restricted types of funds. For this reason, it is recommended contractors maintain separate accounts for each funding source.

Financial statements prepared in accordance with generally accepted accounting principles are called the Statement of Financial Position (balance sheet), the Statement of Activities (operating statement), and Statement of Cash Flows. In addition, nonprofit organizations are required to present a Statement of Functional Expenses. This statement shows which function of the nonprofit organization incurred the expenses.

2 Types of Reporting Needs

a Managers

Managers need a variety of reports for planning, control purposes, presentation to oversight boards, and other purposes.

b Oversight Boards

Oversight boards are charged with the responsibility for ensuring program goals are met, sufficient financial systems are in place, financial systems are operating as intended, and funds received are used for their intended purposes efficiently. Local Boards need reports to contain sufficient information to evaluate the following:

- How well the organization is meeting its program goals;
- How well the organization is operating within its financial constraints; and
- The performance of its managers.

Although reports addressing program goals will usually come from program staff, the accounting department may be asked to produce cost per participant data. Such data may be used as a comparison with a standardized measure of such cost, or as a means of evaluating management's performance. A comparison of budget to actual results may also provide the governing body with information regarding management's performance. Budget reports should provide information on how well the organization is operating, both overall and on a per-program basis, and include encumbrances or obligations.

c External Users

External users will obtain their information primarily from audit reports. However, the organization may elect to produce an annual report, similar to the report created for shareholders in for-profit entities. Such a report would give contractors an opportunity to showcase the organization's accomplishments and become an invaluable fund-raising tool.

3 De-obligation/Re-obligation and Reallocation

Commerce has developed policies and procedures to maximize the use of available funds through the voluntary and involuntary de-obligation of allocated funds.

a Involuntary De-obligations

Involuntary de-obligations may occur for the following reasons:

- Funding allocation available to Commerce has been modified and cannot support the current level of funding to the contractor;
- Contractor's failure to expend allocated funds in a timely manner to allow maximum use of resources for the program purpose and avoid the possible return of federal funds;
- Contractor's failure to submit timely and/or complete financial reports; or
- Contractor's failure to resolve audit or monitoring review findings.

b Voluntary De-obligations

Voluntary de-obligations occur at the request of the contractor. The reasons for voluntary de-obligations vary from one contractor to another. The most common reasons for voluntary de-obligation are inability to carry out the statement of work, meet budgetary obligations such as matching, or expend sufficient funds to use the total funding.

c Re-obligation and Reallocation

With the exception of a funding reduction/shortfall at the state administrative level, de-obligated funds will be reallocated to other contractors exhibiting the ability to use the funds effectively and appropriately. The funds will be reallocated/obligated to the eligible contractors based on a percentage share methodology similar to the original allocation of funds.

LWIB Financial Reporting Requirements –Department of Commerce

Report Heading Section

GRANT NAME: Choose the appropriate Grant from drop-down list in cell Q3. This will populate the "1. Reportable Transactions" column and the appropriate CFDA #.

NAME AND ADDRESS. Please populate with your legal name and address.

PREPARED BY AND TELEPHONE. Fill in the name of the individual who prepared the data and can be contacted should any need for clarification arise.

AWARD #. Fill in the award number assigned by Commerce

REPORT PERIOD. Beginning of the grant period to month being reported.

REPORT NUMBER. Reports are to be numbered consecutively beginning with "1" for the first report submitted for the funding source. A report is to be submitted for each calendar month and each report needs to identify FUNDS RECEIVED TO DATE. It is **CRITICAL** to enter the amount of Grant cash received by the LWIB or service provider from the beginning date of the allocation or agreement through report period for each funding stream. This total should be funding stream specific and not a total multiple funding streams.

Note: If the Funds Received to Date is greater than Cumulative Total Expenditures (column #6); the cell will change to red. This indicates a "cash on hand" situation. Please make references to why in the Remarks Section DATE. The date the report was prepared.

Column 1. Reportable Transactions. This column is separated into the particular reportable line items as required by each grant.

The following example is for-WIA Grants:

* **Comprehensive Program Outlays** should include any costs incurred for goods and services, amounts owed for and other property received; for services performed by employees, contractors, sub grantees, and other payees and other amounts owed.

* **Administration** are any costs for WIA-funded programs and can be found in the WIA regulations at 20 CFR 667.220. The definition is found listed in the regulations and ones that are not related to the direct provision of workforce investment services are considered to be administrative.

* **Out-School Outlays** are expenditures for allowable program activities for participants meeting the eligibility criteria for an out-of-school youth

* **In-School Outlays** are expenditures for allowable program activities for eligible in-school youth. (WIA sec. 101(13).)
Note: SUMMER EMPLOYMENT OPPORTUNITIES are expenditures of funds for allowable program activities designed to link summer employment This is a NON-ADD amount and NOT included in the REPORTABLE TRANSACTIONS.

RAPID RESPONSE ADDITIONAL ASSISTANCE are expenditures for allowable additional Rapid Response assistance from State funds provided to Local Areas in need. (WIA section 134(a)(2)(A)(ii).)

Column 2. PLAN AMOUNT. Enter the amount budgeted for each appropriate reportable category of cost line item. Total should be equal to the sub-award agreement.

Column 3. CUMULATIVE THRU LAST REPORT. Enter the cumulative amount of cash expenditures, by reportable category, from the beginning date of the grant through the last report submitted.

Column 4. EXPENDITURES THIS MONTH. Enter the amount of cash expenditures, by reportable category, for this report period. This will include any accruals from the last report that were paid during the report period.

Column 5. Cum. Disbursements. Add Column #3 & #4 *Note: Column #5 will become Column #3 on next monthly report if payments are made.*

Column 6. Accruals. Enter the cumulative amount of unsatisfied/unpaid charges incurred through the end of the report period for each reportable category.

Once an accrual is satisfied/paid it will be entered as a cash expenditure on the following report and subtracted from the following report's cumulative accrual section. Accrued expenditures are the charges incurred (but not yet paid) by the grantee during a given period requiring the provision of funds for:

(1) Goods and other tangible property received;

(2) Services performed by employees, contractors, sub grantees, subcontractors, and other payees; and

(3) Other amounts becoming owed under programs for which no current services or performance is required, such as annuities, insurance claims, and other benefit payments. (29 CFR 95.2 & 29 CFR 97.3)

Column 7. UNLIQUIDATED OBLIGATIONS. The definition of an obligation is the (outstanding) amount of orders placed, contracts and sub grants awarded, goods and services received, and similar transactions committing program funds and will require payment by the sub recipient during a future reporting period. Amounts reported as ACCRUED EXPENDITURES (Column 5) or CUMULATIVE TOTAL EXPENSES (Column 6), are NOT included in reported UNLIQUIDATED OBLIGATIONS.

Column 8. UNOBLIGATED BALANCE. The remaining balance of funds available after all expenditures and obligations. **Column 2 minus column 5 minus column 6 minus column 7.**

SUBTOTAL. The sum total of the previously listed Reportable Transactions.

LESS: REFUNDS, REBATES, ETC. or any receipt that is treated as a reduction of expenditures rather than as income here unless already netted out above.

Reducing for any refunds insures that there will not be double accounting for expenses incurred and then, for whatever reason, a refund is received and the same funds are used to pay for another program activity.

REPORTABLE EXPENSES is the sum of SUBTOTAL less REFUNDS, REBATES.

RECIPIENT EXPENSES FOR ALLOWABLE PROGRAM ACT should include any costs incurred that are otherwise allowable except for funding limitations. (WIA sec. 185(f)(2))

Definition for this line is all contributions, including cash and third party in-kind, that can be included as part of the recipient's cost sharing or matching when such contributions meet all of the following criteria:

(1) Are verifiable from the recipient's records.

(2) Are not included as contributions for any other federally-assisted project or program.

(3) Are necessary and reasonable for proper and efficient accomplishment of project or program objectives.

(4) Are allowable under the applicable cost principles.

(5) Are not paid by the Federal Government under another award, except where authorized by Federal statute to be used for cost sharing or matching.

(6) Are provided for in the approved budget when required by the Federal awarding agency.

PROGRAM INCOME CONSISTING OF:

Disbursed program income. Program income used for purposes and under the conditions of the WIA grant.

Undisbursed program income. Program income available to be expended for WIA purposes.

Program income realized. Sum of Disbursed program and Undisbursed program income.

The definition of Program Income is gross income earned by the recipient that is directly generated by a supported activity or earned as a result of the award. Program income includes, but is not limited to, income from fees for services performed, the use or rental of real or personal property acquired under federally-funded projects, the sale of commodities or items fabricated under an award, license fees and royalties on patents and copyrights, and interest on loans made with award funds. Interest earned on advances of Federal funds is program income. Except as otherwise provided in Federal awarding agency regulations or the terms and conditions of the award, program income does not include the receipt of principal on loans, rebates, credits, discounts, etc., or interest earned on any of them.

REMARKS. Reporting entity may use to add comments or clarify items on the report.

CERTIFICATION. Signature of authorized on the signor(s) required for all Local Area, regardless of who is preparing the report.

SAVING THE REPORT. Do a File Save As, Name the file "Name of Grant", "Subaward #", "Month", "Year" (ex. Rapid Response FY13-RR-00X February 2013), then change file type as .pdf and click on Save.

Questions contact Richard Martinez (rmartinez@kansasccommerce.com 785-296-3736) or Sherry Rentfro (srentfro@kansasccommerce.com 785-296-7988)

Kansas Department of Commerce/WFC Expenditure Report

Grant Name: --Select A Grant--	CFDA#	#N/A
NAME AND ADDRESS: _____	LWIB#: _____	Award #: _____
PREPARED BY: _____	Report Period: _____ to _____	Report #: _____
TELEPHONE: _____	Funds Received To Date: \$	DATE: _____

1. REPORTABLE TRANSACTIONS	2. Plan Amount	3. Cum. Thru Last Report	4. Expend. This Month	5. Cum. Disbursements	6. Accruals	7. Unliquidated Obligations
0				-		
0				-		
0				-		
0				-		
				-		
				-		
				-		
				-		
				-		
				-		
				-		
				-		
				-		
				-		
				-		
				-		
SUBTOTAL	-	-	-	-	-	-
LESS: Refunds, rebates, etc.						
REPORTABLE EXPENSES	-	-	-	-	-	-
Recipient expenses for allowable program act.						
Program income consisting of:						
Disbursed program income						
Undisbursed program income						
Program income realized		-	-	-	-	-

REMARKS:

Reporting Agency Official Signature and Title

Date