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DEPARTMENT OF LABOR AND EMPLOYMENT

WORKFORCE DEVELOPMENT PROGRAMS

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Category:	Workforce Innovation in Regional and Economic Development (WIRED) Funding
Subject:	WIRED Monitoring Guidance Letter and Instrument
Source:	Federal/State
Revise/Replace:	N/A
Contact:	Employment & Training Programs Director
Distribution:	All Managers, Directors, Financial, Program & Administrative Staff
Colorado One-Stop System Policy Guidance Letter:	09-04-WIRED
Date:	March 20, 2009

I. REFERENCES

Workforce Investment Act of 1998, Public Law 105-220, 29 U.S.C. 2931, Section 112(b)(4)(c) and Section 181; 20 CFR parts 667.262 and 667.264, U.S. Department of Labor, Employment and Training Administration, TEGL No. 13-07, TEGL No. 23-07, The STEM Workforce Challenge and the Role of the U.S. Department of Labor in a National Solution, Washington, D.C. (2006).

U.S. Department of Labor, Employment & Training Administration, *Science, Technology, Engineering and Math (STEM) and the Workforce Investment System Roundtable: Connections in Action (transcript)*, Washington, D.C. (2007).

Committee on Prospering in the Global Economy of the 21st Century: An Agenda for American Science and Technology, National Academy of Sciences, National Academy of Engineering, Institute of Medicine, *Rising Above the Gathering Storm: Energizing and Employing America for a Brighter Economic Future*, Washington, D.C. (2007).

WIRED grants are funded by revenue collected under the American Competitiveness and Workforce Improvement Act of 1998, Public Law 105-277. U.S. Code establishes that U.S. Department of Labor WIRED (H-1B) funds are limited by law to the revenue collected under 8USC §1356(s)(2) (commonly referred to as H-1B funds), as authorized by the American Competitiveness and Workforce Improvement Act of 1998, Public Law No. 105-277 (codified, as amended, at 29 USC § 2916a) (H-1B funding revenue allowable expenditures summary).

II. PURPOSE

To provide guidance on Workforce Innovation in Regional and Economic Development (WIRED) monitoring requirements and ensure compliance with federal and state requirements governing the WIRED program.

III. BACKGROUND

The Employment and Training Administration (ETA) launched the Workforce Innovation in Regional Economic Development (WIRED) Initiative focusing on the role of talent development in driving regional economic competitiveness, increased job growth, and new opportunities for American workers. The WIRED framework brings together all the key players in a region to leverage their collective public and private sector assets and resources in order to devise strategies that focus on infrastructure, investment, and talent development that will optimize innovation and successful regional economic transformation.

Monitoring is an essential resource for the workforce investment system to maintain compliance with state and federal rules and regulations for WIRED framework activities. The objectives and indicators in the CDLE Core Monitoring Guide are designed to provide technical assistance opportunities and facilitate the review of WIRED-funded grant activities.

The federal and state rules and regulations provide explicit definitions for eligibility and expenditure requirements; therefore, the monitoring guide will provide key elements to ensuring program and fiscal compliance with the federal and state rules, regulations and requirements.

IV. POLICY/ACTION

A. All WIRED workforce and fiscal-agent regions (“Grantees”) must develop or use existing internal and subrecipient monitoring policies and procedures for WIRED framework activities. Also, on a bi-annual and annual basis, grantees must monitor their internal and subrecipient systems for compliance with the WIA and H-1B federal and state requirements. These requirements are included in, but are not limited to, the applicable CDLE Policy Guidance Letters (PGLs), CDLE Contracts/Grant Agreements, Federal laws and regulations, Federal Uniform administrative requirements, and/or Federal cost principles. The major systems of compliance review include, but are not limited to:

- Administrative
- Financial
- Management Information System (MIS)
- Program

The CDLE WIRED Grant Manager and Staff (fiscal and program auditors, and other appropriate monitors) will follow WIRED Core Monitoring Guidelines to determine if policies and procedures are in place, as well as, provide technical assistance to the local workforce regions and partners in achieving WIRED compliance and program performance standards.

B. The monitoring process will include the following:

- CDLE will provide a minimum notice of two weeks to schedule the monitoring and technical assistance visit;
- The monitoring guide will be provided to the grant recipient two weeks prior to the monitoring review and technical assistance visit;
- Once the visit is completed, a written report will be provided to the grant recipient approximately thirty (30) days;
- If compliance issues are identified, the local workforce region and CDLE will work together to prepare a corrective plan of action to submit along with any necessary responses to the CDLE monitoring report within thirty (30) calendar days after receipt of the written report;
- After the corrective action plan and/or responses are received from the workforce region, the final written report will be distributed to all interested parties; and,
- Monitoring of subrecipients must include review of at least three subgrantee programs or 10% of the number of subcontracts of each funding release, whichever is greater.

V. REPORT SUBMISSION AND DEADLINES

A. A regular reporting process is required for all local, state, and federal grants to document the specific goals, deliverables, and outcomes as outlined in the grant agreement scope of work. The reporting requirements will include the following:

- Project status;
- Performance measures data;
- Planned goals, outcomes, and services specific to the grant or project;
- Current and completed curriculum and other products developed;
- Current and projected quarterly expenditures; and,
- Current and projected quarterly leveraged funds.

Note: Any leveraged time charges must have actual hours and value.

- B. The workforce regions are required to submit quarterly reports starting with the first quarter of the project period of performance and concluding with a closeout report due within sixty (60) days of project completion. All reports shall be submitted electronically, with the exception of the final report which shall be submitted electronically and by U.S. Mail to the WIRED grant manager. Note that original signatures are required and may be scanned and submitted electronically. The following reporting schedule will be implemented for WIRED grant recipients:

Quarter	Performance Period		Quarterly Report Due
1 st quarter 2008 reports due:	01-Jan- 2008	31-Mar-2008	15-Apr-2008
2 nd quarter 2008 reports due:	01-Apr-2008	30-Jun-2008	15-Jul-2008
3 rd quarter 2008 reports due:	01-Jul-2008	30-Sep-2008	15-Oct-2008
4 th quarter 2008 reports due:	01-Oct-2008	31-Dec-2008	15-Jan-2009
1 st quarter 2009 reports due:	01-Jan-2009	31-Mar-2009	15-Apr-2009
2 nd quarter 2009 reports due:	01-Apr-2009	30-Jun-2009	15-Jul-2009
3 rd quarter 2009 reports due:	01-Jul-2009	30-Sep-2009	15-Oct-2009
4 th quarter 2009 reports due:	01-Oct-2009	31-Dec-2009	15-Jan-2010
All close-out reports due:	Sixty (60) days after performance ends		28-Feb-2010
Follow-up reports due:	Thirty (30) days after all grant activity/tracking ends		31-Mar-2010

- C. Upon completion of the on-site monitoring visit, the monitors will convene an Exit Conference to provide the grantee with a summary of the initial observations, as well as an opportunity to ask any resulting questions. A written report any observations and possible findings, with recommendations and suggested resolutions, will follow.

VI. GENERAL

State and local monitoring shall conform to current and existing WIRED and WIA policies and schedules. Grantees may adopt the WIRED monitoring policies and procedures that are consistent with the provisions of this policy guidance letter. The local workforce regions shall monitor its subrecipients on a biannual and annual basis and provide the state with a copy of the monitoring report.

- A. If program or fiscal concerns and/or issues are identified through the course of the monitoring process, either technical assistance or a corrective action may be required.
- B. Technical assistance may be requested and provided independent of the review.
- C. Non-compliance issues (i.e., low enrollments, referral problems or low expenditure rates may be addressed through technical assistance). If the problem(s) persist, CDLE with work with the local workforce region to develop a corrective action plan.
- D. In the event compliance issues arise (e.g., enrollments and expenditures are found to be below expected levels, grant allocations, and/or time frames), the state will provide

provide technical assistance to increase enrollments and expenditures.

- E. In the event that corrective action or reallocation is required, deadlines for implementation will be established. Documents will note the details of the corrective action or reallocation and responsible entities will be notified. Agency records must document that the corrective action was implemented and verified. A follow-up, on-site review will be conducted within 60 days to determine that the corrective action has been fully implemented.
- F. Monitoring and Joblink responsibilities for WIRED grants require an internal monitoring process, which tracks and reports on the activities and outcomes, expenditures, and leveraged partner contributions. CDLE recommends that regions designate a lead for each grant to fulfill these tracking and reporting responsibilities and CDLE is also available for discussions regarding grant start up, implementation, closeout, and any issues that may arise. The grant lead will also be responsible for ensuring that Joblink is utilized for recording and tracking grant activities related to clients, as follows:
- A unique Joblink program code (and sub code if appropriate) is identified for each grant that has client services, and agreed upon by the region;
 - All grant participants are enrolled in Joblink using the grant's program code and a case file is established for each participant, which contains eligibility and other relevant documentation;
 - All client services provided with grant or grant partner resources are entered in Joblink;
 - All grant participants are exited within 60 days after the completion of the grant period of performance;
 - All performance outcomes are entered in Joblink;
 - All follow-up activities are entered in Joblink;
 - At a minimum, the Activity Summary (AS) Report is used to track quarterly progress of the grant; and,
 - Additional Joblink reports can be utilized, as appropriate.

VII. RECAPTURE OF FUNDS

CDLE will utilize the state financial reporting system in conjunction with the quarterly reports to determine whether a grant is meeting its expenditure goals. CDLE reserves the right to evaluate the likelihood that a grantee will spend 100% of grant funds, and will determine whether all or part of the remaining grant funds will be recaptured prior to the end of the grant period and utilized for other purposes.

CDLE payments are contingent upon and subject to the continuing availability of federal funds, failure to meet performance, or in the event that the Subcontractor does not correct an identified default within the specified timeframe. CDLE may impose any or all of the following remedial action, in addition to any and all other remedial actions authorized by law:

- 1) Withhold any or all payments, in whole or in part, until the necessary services or corrections in performance are satisfactorily completed during the authorized period to cure default;
- 2) Deny any and all requests for payment and/or demand reimbursement from Subcontractor of any and all payments previously made to Subcontractor for those services or deliverables that have not been satisfactorily performed due to circumstances caused by or within the control of the Subcontractor, cannot be performed or if performed would be of no value to the Program. Denial of requests for payment and demands for reimbursement shall be reasonably related to the amount of work or deliverables lost to the Contractor;
- 3) Suspend or terminate this Agreement, or any portion or portions thereof, upon thirty (30) calendar days' prior written notice to Subcontractor;
- 4) Reduce the total amount of compensation to be paid to the Subcontractor.

VIII. CLOSE-OUT

The grant closeout report requires the grantee to provide information on the overall performance of the grant, including all accomplishments, challenges, and best practices that occurred. This is in contrast to a quarterly report, which should focus on what happened in the most recent quarter. The grantee is responsible for writing a closeout report within 60 days of completion of the grant period of performance. This is concurrent with the financial closeout of the grant reported by the local financial manager per PGL 06-12-FI. In addition, the closeout report should include:

- 1) A complete narrative describing the project, performance, and outcomes;
- 2) Identification of subprojects of subgrantees funded by WIRED funds; describe activities, outcomes, or benchmarks;
- 3) Highlights of "best practices" applied to local workforce investment activities;
- 4) Additional information on how the grant could be improved, sustained and/or replicated in the future, and describe challenges and provide recommendations;
- 5) Identification and delivery of all curriculum and other products developed with WIRED funds and deliver to the WIRED Grant Manager at CDLE before the end of the contract.

No funds may be expended after January 31, 2010. The close-out report and follow-up report describing the above-referenced information and results of data tracking must be submitted to CDLE no later than sixty (60) days after the last day of the final grant period.

IX. DEFINITIONS

- 1) Observation: An observation is an item that could be a finding if not addressed by the grantee, or an area where the grantee could improve.
- 2) Finding: Any violation or non-compliance with federal or CDLE requirements of any applicable Law, Regulations, Grant Agreement, Contract Agreement, Cooperative Agreement, or Formal Policy or Memorandum of Understanding. Each finding should contain five items: Condition, criteria, cause, effect, and recommendations for suggested resolutions.
- 3) Past Tense Terms: Condition, Cause, and Effect should be in the past tense.
- 4) Present Tense Terms: Criteria and Recommendations should be in the present tense.
- 5) Leveraged Resources: Identified in the statement of work, the promised funds and resources that will be available to support the planned program objectives.

X. IMPLEMENTATION DATE

This PGL is effective for all expenditures incurred on or after the issuance date of the approved Expenditure Authorization and/or Agreement relative to approved WIRED programs.

XI. INQUIRIES

Please direct any questions you have regarding this PGL to Kathryn Otten at 303-318-8846 or via email at kathryn.otten@state.co.us.

Peggy S. Herbertson, Division Director

Attachments:

CDLE WIRED Monitoring Instrument