

# VI WORKFORCE DEVELOPMENT BOARD POLICY DOCUMENT

Workforce System Guidance WIOA 401-21

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**TO:** WIOA Grant Recipients; Administrative Entities; One-Stop Partners

**SUBJECT:** USVI WORKFORCE DEVELOPMENT BOARD MONITORING POLICY

**DATE:** July 26, 2021

**References:**

P.L. 113-128 Section 184; 20 CFR §683.200; 20 CFR §683.220;  
20 CFR §683.400; 20 CFR §683.410; 20 CFR §683.420; §683.430; §683.440; 20  
CFR §200

- Workforce Innovation and Opportunity Act (Pub. L. 113-128)
- United States Department of Labor, Workforce Innovation and Opportunity Act; Final Rule, 20 CFR, Part 682
- Training and Employment Notice No. 03-15, *Guidance on Services Provided through the Adult and Dislocated Worker Program under the Workforce Innovation and Opportunity Act and Wagner Peyser, as Amended by WIOA, and Guidance for the Transition to WIOA Services.*

**Purpose:** To establish monitoring standards for sub-recipients and pass-through entities of Workforce Innovation and Opportunity Act (WIOA) Title I funding.

**Background:** Section 184 of Public Law 113-128 requires each state to establish policies to ensure accountability with regard to the proper disbursement and use of WIOA Title I funds. Sub-recipients of WIOA Title I funds that are found to be in noncompliance with WIOA guidelines outlined in 20 CFR 683.200, as well as applicable USVI policies, are subject to sanctions determined by the USVI WDB and the Governor.

Therefore, the USVI Workforce Development Board is responsible for fostering a continuous improvement culture through transparency, collaboration and partnership that supports the success and accountability of State Workforce Development Board, sub-recipients, workforce service providers and other WIOA-funded grantees and contractors in maintaining compliance with applicable WIOA law, rules, and guidance.

Monitoring is essential to ensure the integrity of the WIOA system and WIOA funds, to assess compliance with applicable laws and regulations and identify successful and positive methods and practices that serve to enhance the system as a whole.

To do so, the Virgin Islands Workforce Development Board performs monitoring activities to:

1. Ensure programs achieve intended results;

2. Ensure resources are efficiently and effectively used for authorized purposes and are protected from waste, fraud, and abuse; and
3. Ensure reliable and timely information is captured and reported to serve as the basis to improve decision-making.

**Policy:** The Virgin Islands Workforce Development Board is responsible for oversight of the programmatic activities of grant sub-recipients to ensure proper stewardship of federal WIOA funding. The VI WDB is committed to ensuring the success and accountability of sub-recipients, workforce service providers and other Agency grantees and contractors. The Virgin Islands Department of Labor Financial Services unit is responsible for oversight of the financial activities of grant sub-recipients to ensure proper stewardship of federal WIOA funding.

#### **a. Frequency of Monitoring Reviews**

The USVI Workforce Development Board and/or its designee will conduct programmatic and financial monitoring of each WIOA recipient on an annual basis in compliance with the Office of Management and Budget's Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (known as the OMB Super Circular) as adopted by the U.S. Department of Labor (DOL). The State must certify this monitoring process to DOL every two years.

The USVI WDB may establish and distribute an annual schedule of territory wide monitoring at the beginning of each program year. The initial schedule, subject to modification, will list tentative review dates for each recipient. The USVI WDB will not be limited to the initial schedule and may conduct unannounced or unscheduled reviews at its discretion.

#### **b. Scope of Monitoring Reviews**

Monitoring activities will encompass both financial and programmatic monitoring. Program and fiscal monitoring activities include on-site visits, offsite desk-level reviews, and analyses of both financial and program outcomes to help identify potential weaknesses before such weaknesses result in substandard performance or questioned costs.

During each monitoring cycle, the USVI Workforce Development Board will monitor the WIOA Title I Program Year activities-to-date in two major subject areas:

- 1. Administrative and Financial Management.** This review area includes, but is not limited to, an evaluation of the administrative and financial policies and practices, and sub-recipient monitoring and oversight according to applicable federal and state legislation, regulations, policies and guidance, and OMB Circulars and Uniform Guidance.
- 2. Workforce Development Programs.** This review area includes, but is not limited to, an evaluation of the programs and services to eligible participants pursuant to WIOA Title I requirements and related federal and state legislation, regulations, policies and guidance, and OMB Circulars and Uniform Guidance. Monitoring will utilize random sampling to examine Title I Adult, Dislocated Worker, and Youth participant files for proper maintenance and content, inclusion of pertinent forms and data, appropriate and adequate case notes to ensure continuity from time of application through completion of services, as well as verification that all relevant

data has been entered into the case management system. On-site visits to American Job Center offices within the region and interviews with management, staff, and clientele may be conducted to observe operations and gain insight into the AJC environment, processes and procedures, and overall customer service efforts and effects.

This review area will also include an examination of any additional grants and programs active within the region during the monitoring period. The WDB during its review, will correspond with applicable grant and program management staff to obtain progress and status updates for inclusion in the Final Monitoring Report including the Equal Opportunity Officer regarding confidentiality requirements.

#### **c. Access to Records**

It is a requirement that the sub-recipient or pass-through entity permit the USVI Workforce Development Board to have access to records, financial statements, facilities and participants.

#### **d. Additional Review / Technical Assistance**

In addition to the annual on-site review, some monitoring activities may be conducted remotely, by phone, through desk reviews of documents and reports, and by such other means as deemed necessary by the USVI WDB. If an area of concern or practice is identified at any point, USVI WDB may offer or coordinate technical assistance as needed. Technical assistance may include additional on-site visits.

#### **e. Monitoring Reports**

The USVI Workforce Development Board will issue documents, as appropriate, summarizing the results of monitoring and auditing activities. The documents may include the observations, items to address, findings, and recommendations of the monitoring team and any responses from sub-recipients, workforce service providers and other Agency grantees and contractors.

### **Appeals Process**

The recipient will have 30 days to appeal to any finding or adverse observations in the monitoring report it feels are inaccurate or improper. The appeal must be filed within 30 days from the issuance date of the final determination. The recipient or sub-recipient may appeal final determinations of the Department by filing a request with the USVI Workforce Development Board. The appeal must be filed in accordance with the 20 CFR part F Grievance Procedures, Complaints, and USVI Appeals Process.

**Inquiries:** Questions should be addressed to the Workforce Development Board at [sonia.boyce@dol.vi.gov](mailto:sonia.boyce@dol.vi.gov)  
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