ALABAMA WORKFORCE INVESTMENT SYSTEM

Alabama Department of Commerce
Workforce Development Division
401 Adams Avenue
Post Office 304106
Montgomery, Alabama 36130-4106

January 6, 2016
GOVERNOR'S WORKFORCE INNOVATION DIRECTIVE NO. PY2014-16, Change 01

SUBJECT: *Statewide Workforce Innovation and Opportunity Act (WIOA) Fiscal Procedures Manual*

1. Purpose. This Directive transmits a revised page for the July, 2015 edition of the Governor's ***Statewide WIOA Fiscal Procedures Manual.***

2. Discussion. Effective January 1, 2016, the mileage rate paid to persons traveling in privately owned vehicles on official business for the state decreases to 54.0 cents per mile. A copy of the State Comptroller's announcement is attached for reference. This change necessitates a revision to the *Statewide WIOA Fiscal Procedures Manual* page VIII – Page 5 of 12.

3. Action. Please replace the existing page in the *Statewide WIOA Fiscal Procedures Manual* with the following revised page:

VIII – Page 5 of 12 (Revised 01/16)

4. Contact. Any questions regarding this Directive should be referred to Bill Hornsby, Supervisor, Workforce Development Division, State Programs and Divisional Budget Management Section. (Telephone: (334) 242-5847 or Email: bill.hornsby@commerce.alabama.gov).

Steve Walkley, Division Manager
Workforce Development Division

1/6/2016
Date

Attachments

2. For travel of 6 hours to 12 hours, there is an allowance of $11.25 for one meal, provided the travel is performed outside the city limits of the official base or station (traveler's business address location) or home if closer to destination.

3. For travel requiring more than 12 hours to a destination outside the city limits of the official base or station, a $30.00 allowance is allowed when the trip does not involve an overnight stay.

4. Overnight per diem will be set at the following rate: $75.00 per day.

   If the normal rate of the subrecipient is less than the above-stated per day rates and the WIOA agreement states a lesser rate, the lesser rate approved shall be used.

   The term overnight, as used in Code of Alabama 1975, §36-7-20, as amended, means exactly what the word implies. The common law meaning of night usually means the period between sunset and sunrise. Another rule often applied is that night is defined as beginning thirty minutes after sunset and ending thirty minutes before sunrise. Individuals whose work hours are during the night period are in work status and are not entitled to overnight per diem. Employees within reasonable travel distance from their base are expected to return to base. For travel purposes, a traveler's base is a city or town. Individual circumstance will determine what is reasonable but, generally, a trip of 100 miles or less one-way does not require an overnight stay. Exceptions to the policy may be approved by the appropriate supervisor or division chief.

5. The per diem is $56.25 (75% of daily rate) for each day after a person in travel status has been stationed at the same place for two consecutive months.

6. Under no circumstances will a traveler be paid an overnight or daily travel allowance at their base or primary residence.

7. The mileage rate is the amount allowed by the Internal Revenue Code for income tax deductions. As of January 1, 2016, the rate allowed by the Internal Revenue Code for business mileage is 54.0 cents per mile. The traveler is entitled to a mileage allowance from their base to their *

*Revised 01/16

STATE OF ALABAMA
Department of Finance
Office of the State Comptroller

100 North Union Street, Suite 220
Montgomery, Alabama 36130-2620
Telephone (334) 242-7050 Fax (334) 242-7466
www.comptroller.alabama.gov

Robert Bentley
Governor

Bill Newton
Acting Director of Finance

Thomas L. White, Jr., CPA
State Comptroller

RECEIVED
DEC 2015
Workforce Development
Division

MEMORANDUM

TO: All State Agencies
All Chief Fiscal Officers

FROM: Thomas L. White, Jr.
State Comptroller

DATE: December 18, 2015

RE: Travel Mileage Rate for 2016

Effective January 1, 2016, the mileage rate paid to persons traveling in privately owned vehicles on official business for the State will decrease to 54 cents per mile. The mileage rate, which is paid in lieu of actual expenses for transportation, is in accordance with Code of Alabama 1975, 36-7-22, as amended, which became effective October 1, 1999. This code section sets the mileage rate at the amount allowed by the Internal Revenue Code for income tax deductions. Therefore, mileage reimbursement for travel on or after January 1, 2016, will be calculated at the new rate of 54 cents per mile.

When calculating the amount reimbursed, all mileage listed on an expense account must be totaled and then multiplied by 54 cents (Example: 111 miles X .54 = $59.94). Should you have any questions concerning this directive, please call the Accounts Payable HOTLINE at 334-242-2444.

TLWjr

STATEWIDE WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA) FISCAL PROCEDURES MANUAL

Alabama Department of Economic and Community Affairs
Workforce Development Division
Montgomery, Alabama

July 2015

STATEWIDE WORKFORCE INNOVATION and OPPORTUNITY ACT (WIOA)
FISCAL PROCEDURES MANUAL

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SECTION I
INTRODUCTION

GENERAL

This document is to provide local workforce development areas (LWDAs) guidance that will assist in ensuring that the Governor's financial responsibilities under WIOA are fulfilled. It contains the fiscal requirements for local workforce development areas funded from Workforce Innovation and Opportunity Act (WIOA) Adult and Dislocated Worker funds and Youth funds under Title I of the Act and for any agency awarded grants, subgrants, or subrecipient agreements funded by the State Oversight Agency from WIOA Setaside funds. Any further reference to LWDAs contained in this document, when related to administrative and fiscal requirements, also applies to the other agencies and includes those which are grantees, subrecipients, etc. These guidelines are effective July 1, 2015. In accordance with 29 CFR200.105, all other program manuals, handbooks, and other non-regulatory materials, which are inconsistent with this manual, are superseded, except to the extent they are required by statute.

Agencies with subrecipient agreements funded from WIOA Setaside funds will comply with the specific provisions of Section VIII, State Subrecipient Requirements.

The detailed administrative requirements of the Office of Management and Budget (OMB) Circular Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards was issued on Thursday, December 26, 2013 in the Federal Register, Volume 78, Number 248, 2 CFR Chapter I, Chapter II, Part 200, et al. Federal agencies were given until December 26, 2014 to codify the "Uniform Guidance." The U.S. Department of Labor (USDOL) codified the "Uniform Guidance" at 2 CFR Part 2900 in the Federal Register (Volume 79, Number 244, December 19, 2014). As noted at 2 CFR200.104, all previous Office of Management and Budget Cost Principles and Administrative Circulars are hereby superseded by this new Circular. This Circular applies to all Titles of the Workforce Innovation and Opportunity Act. LWDAs may elect to issue operating guidelines that are more restrictive than these so long as they are consistent with State and local laws or other applicable Federal regulations.

AUTHORITY

This document is promulgated by the Governor pursuant to the authority conferred by Public Law 113-128 known as the Workforce Innovation and Opportunity Act (WIOA), herein referred to as the Act, and implementing regulations Title 20 CFR _____?_____ (Include reference when issued by ETA), et al. (Final Rule). The Governor may issue additional directives that will ensure that local workforce development areas (LWDAs) are instructed to conform to all requirements of the Act.

SCOPE

This document incorporates policies established by the Governor according to the Act, administrative standards, cost principles, and applicable State and Federal laws. The cost principles as contained in 2 CFR200.400 -.475 and 2 CFR2900.16 -.19.

The conditions prescribed in Sections 181, 193, 194 of the Act apply to all programs under Title I except as provided elsewhere in the Act or the WIOA regulations.

SECTION II
GENERAL REQUIREMENTS

INSURANCE AND BONDING

In accordance with WIOA Section 181 (b)(4), to the extent that the State Worker's Compensation Law is applicable, workers' compensation benefits in accordance with such law shall be available with respect to injuries suffered by participants. Where not applicable, recipients and subrecipients shall secure insurance coverage for injuries suffered by such participants in all WIOA work-related activities.

Each LWDA must ensure that every officer, director, agent, or employee who is authorized to act on behalf of the LWDA in receiving or depositing WIOA funds or in issuing financial documents, checks, or other forms of payment is bonded to provide protection against loss (State Requirement).

The amount of this coverage must be either (1) the highest advance for the present year or (2) $100,000.00, whichever is the lesser amount. Coverage in excess of $100,000.00 is not required.

RECORD RETENTION/ACCESS TO RECORDS

LWDAs are required to keep intact and accessible all financial records, supporting source documents, statistical records, and other records pertinent to the grant. The records retention and custodial requirements extend not only to the records of the LWDA, but also to those of its subgrantees.

Normally, the retention period for all records and support documents shall be in accordance with 2 CFR200.333 in regard to the length of time records are retained. However, the Attorney General's Office requested that retention schedules be submitted for revision. This was accomplished and the State Records Commission extended the requirement to six (6) years on November 2, 1995. For funds allotted to a State for any program year, records must be retained for six years following the date on which the annual expenditure report containing the final expenditures charged to such program year's allotment is submitted to the U.S. Department of Labor. This equates to an effective period of nine (9) years as follows: Grant received 7/1/15 and the final report due on 9/30/18. Six years from due date of final report is 9/30/24. Records for nonexpendable property shall be retained for a period of three years after final disposition of the property (2 CFR200.333 (b)). No changes were made to property records. If any litigation, claim, negotiation, audit, or other action involving the records has been started before the expiration of the six-year period, the records must be retained until completion of the action and resolution of all issues which arise from it, or until the end of the regular six-year period, whichever is later.

In the event an LWDA terminates its relationship with a subrecipient, the LWDA shall be responsible for the maintenance and retention of the records of any subgrantee unable to do so.

The awarding agency, the Department of Labor (including the U.S. Department of Labor's Office of the Inspector General), and the Comptroller General of the United States, or any of their authorized representatives, have the right of timely and reasonable access to any books, documents, papers, computer records, or other records of recipients and subrecipients that are pertinent to the grant, in order to conduct audits and examinations, and to make excerpts, transcripts, and photocopies of such documents (2 CFR200.336 (a)). This right also includes timely and reasonable access to recipient and subrecipient personnel for the purpose of interview and discussion related to such documents. The right of access in this section is not limited to the required retention period, but shall last as long as the records are retained (2 CFR200.336 (c)).

PROGRAM INCOME

Program income generated under the Act must be accounted for and reported separately from WIOA funds. The addition method (described at 2 CFR 200.307) must be used for all program income earned under Title I grants (**NPRM**) (20 CFR683.200 (c)(6)). Income under any program administered by a public or private nonprofit entity may be retained by such entity <u>only</u> if such income is used to continue to carry out the program. (Section 194 (7)(A)). Program income shall be used by the state or subgrantee prior to the submission of the final reports to the USDOL covering the funding period of each program year's allocation to which the earnings are attributable. (Note: The GAAP requirements relating to WIOA funds also apply to Program Income). In order to satisfy the above requirements at the state level, the following policies and procedures apply to program income at the subgrantee and other subrecipient levels.

1. <u>Definition of program income</u>. Program income means income received by the recipient or subrecipient directly generated by a grant or subgrant supported activity, or earned only as a result of the grant or subgrant. Program income includes:

    (a) Receipts from goods or services (including conferences) provided as a result of activities funded under this title;

    (b) Income from the use or rental of real or personal property acquired with grant or subgrant funds;

    (c) Income from the sale of commodities or items fabricated under a grant or subgrant;

    (d) Revenues earned by a public or private nonprofit service provider under either a fixed-price or reimbursable award that

are in excess of the actual costs incurred in providing services;

(e) Funds provided to a service provider under this title that are in excess of the costs associated with the services provided; and

(f) Interest income earned on funds received under this title.

2. Program income does not include:

(a) Rebates, credits, discounts, refunds, etc., or interest earned on any of them, which shall be credited against program expenditures. Interest earned on credits referenced in this paragraph must be accounted for separately from interest classified as program income above;

(b) Taxes, special assessments, levies, fines, and other such governmental revenues raised by a recipient or subrecipient; or

(c) Income from royalties and license fees for copyrighted material, patents, applications, trademarks, and inventions developed by a recipient or subrecipient.

3. Property. Proceeds from the sale of property shall be handled in accordance with the requirements of 2 CFR200.311-.313.

4. Cost of generating program income. Costs incidental to the generation of program income may be deducted, if not already charged to the grant, from gross income to determine program income.

5. Use of program income. A recipient or subrecipient may retain any program income earned by the recipient or subrecipient only if such income is added to the funds committed to the particular WIOA grant or subgrant under which it was earned and such income is used for WIOA purposes and under the terms and conditions applicable to the use of the grant funds. The classification of costs shall apply to the use of program income.

6. State policies on program income.

(a) Program income shall be used prior to the submission of the final report for the subgrant or contract to which the earnings are attributable

(b) Rental income and user fees on real and personal property

acquired with WIOA funds shall continue to be WIOA program income in subsequent funding periods after a subgrant or contract is closed. Any program income earned by a subrecipient after a subgrant or contract is closed must be returned to the state or subgrantee awarding agency within thirty days after receipt of the program income.

(c) Any program income returned by a subrecipient must be identified by subgrant or contract number under which the program income was earned, the source of the program income, and the cost categories applicable to the income being returned. If the original subgrant or contract was funded from more than one program year's allocation, the program income must be identified as to how much is attributable to each program year's funds.

(d) The state or subgrantee receiving program income from a subrecipient is responsible for reprogramming the funds to satisfy the requirements in (**NPRM**) 20 CFR683.200.

(e) Program income returned to the state after expiration of the funding period for each program year's allocation will be remitted to the USDOL.

PROCUREMENT

Each Local Workforce Development Area (LWDA) shall utilize procedures that comply with the procurement requirements as noted in the Act at Sections 121 (d)(2) and 123 and 2 CFR200.318-.326 and the details prescribed in the Statewide Workforce Innovation and Opportunity Act (WIOA) Procurement Procedures, transmitted under Governor's Workforce Innovation Directive (GWID) and/or any changes or replacements for this policy. This process allows the LWDA to use its own procurement system, which reflects applicable state and local laws and regulations, provided that the procurements conform to the standards identified in the Statewide Workforce Innovation and Opportunity Act (WIOA) Procurement Procedures.

No LWDA shall enter into an on-the-job training contract, customized training or similar agreement with a contractor for which there is a potential for the contractor to receive payment greater than seventy-five (75) percent of each individual participant's wages during the period of such training in accordance with (**NPRM**) 20 CFR680.700 (a). Also, per the (**NPRM**) 20 CFR680.730, the Governor for statewide OJT contracts and local boards for local area OJT contracts must consider the factors at (**NPRM**) 20 CFR680.730 (a)(1)-(4) when considering increasing the reimbursement rate from 50 percent up to 75 percent. Also, per (**NPRM**) 20 CFR680.730 (b), Governors and local boards must document the factors used when deciding to increase the wage reimbursement levels above 50 percent up to 75 percent.

No payments may be made to employers for retention or otherwise after a participant's termination as this is a continuing subsidization of employment. All on-the-job training should comply with the requirements of Section .3 (44)(B) and (C).

PROPERTY MANAGEMENT

LWDAs must have property inventory systems that meet the standards as required by 2 CFR200.313 (d)(1)-(5) for equipment and 2 CFR200.311-.312 for real property. The systems must include property purchased with WIOA funds or transferred from programs under CETA, JTPA and WIA. The Governor shall maintain accountability for property in accordance with state procedures and the records retention requirements of 2 CFR200.333 (c)-(d) and 2 CFR2900.18. When original or replacement equipment (acquired under a grant or subgrant) is no longer needed for the original project or program or for other activities currently or previously supported by a Federal agency, the equipment will be returned to the ADECA warehouse for further consideration (State Policy). Property management procedures are detailed in the ADECA Recipient Property Management Manual. It is the responsibility of each LWDA to adhere to these procedures.

Title to property acquired or produced by a subrecipient that is a commercial organization shall vest in the awarding agency, provided such agency is a governmental entity or nongovernmental organization that is not a commercial organization. Property so acquired or produced shall be considered to be acquired or produced by the awarding agency. If the awarding agency is also a commercial organization, title shall vest in the higher level, noncommercial awarding agency that made the subaward to the commercial subrecipient. A subrecipient that is a commercial organization shall not acquire property subject to this section without the prior approval of the awarding agency.

Other nongovernmental subrecipients which acquire or produce real, personal, or intangible property shall be governed by the definitions and property management standards at 2 CFR200.310 - .313.

All LWDA property procurements with a unit acquisition cost of $5,000.00 or more must have prior written approval from the State Office. A Form WDD 58 (See Exhibit A) must be completed and submitted for said approval. The Governor, on behalf of the U.S. Department of Labor (USDOL), reserves the right to claim title to all property purchased with WIOA, WIA, JTPA, or CETA funds with a current per-unit fair market value in excess of $5,000.00. When property with a current per-unit fair market value in excess of $5,000.00 has been stolen, destroyed by fire (or other disaster), is considered to be obsolete or is to be traded for new equipment, the LWDA shall notify the State Office of the particular event and request approval to remove the property from the WIOA inventory. Regional Office approval must be obtained for all transactions of this nature. A Report of Survey form (see Exhibit B) is

attached for this purpose.

The LWDA shall complete and forward the original and one copy of the Report of Survey plus applicable reports to the State Office Attention: WDD Property Manager. If property is stolen, a copy of a Police Report must be transmitted with the Report of Survey. If the stolen property has a current per-unit fair market value of $5,000.00 or more, the Federal Bureau of Investigation (FBI) must be notified and a copy of that report (or statement that the FBI was notified) must accompany the Report of Survey. If the property is destroyed by fire, a copy of a Fire Marshall's Report must accompany the Report of Survey. When LWDAs determine that property is non-serviceable due to obsolescence, a Report of Survey is required to be completed and forwarded as stated above. If equipment is to be cannibalized, a Report of Survey should be completed to give justification for such action. The Report of Survey should be completed and forwarded as stated above.

Upon receipt of a Report of Survey, the State Office will review all pertinent documents, and in the instance of obsolete property, may arrange for an inspection. The State Office will notify the LWDA by sending a copy of the completed Report of Survey accompanied by written instructions. The LWDA shall then proceed according to those instructions.

Title to supplies acquired under a grant or subgrant will rest, upon acquisition, in the grantee or subgrantee respectively. If there is a residual inventory or unused supplies exceeding $5,000 in total aggregate fair market value upon termination or completion of the award, and if the supplies are not needed for any other federally sponsored programs or projects, the grantee, subgrantee, or contractor shall compensate the awarding agency for its share.

Pursuant to (**NPRM**) 20 CFR663.200 (f), Section 502 of the WIOA states that all funds authorized in Title I of WIOA (and Wagner-Peyser) must be expended on only American-made equipment and products as required by the Buy American Act (41 U.S.C. 8301-8305).

CRIMINAL PROVISIONS

The theft or embezzlement from WIOA funds, improper inducement, and the obstruction of investigations shall be subject to certain penalties as allowed by appropriate State law.

SUBAWARDS TO DEBARRED AND SUSPENDED PARTIES AND GOVERNMENT-WIDE DRUG-FREE WORKPLACE REQUIREMENTS

In accordance with the WIOA regulations at (**NPRM**) 20 CFR683.200 (d), LWDAs must

not make any award or permit any award (subgrant or contract) at any tier to any party which is debarred or suspended or is otherwise excluded from or ineligible for participation in Federal assistance programs in accordance with the Department of Labor Regulations at 29 CFR part 98. Recipients and subrecipients shall comply with the applicable requirements of the Department of Labor Regulations at 29 CFR part 98. The Federal Debarment list which is updated monthly should be consulted to ensure compliance.

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SECTION III
FISCAL CONTROL AND ACCOUNTING

FINANCIAL MANAGEMENT SYSTEMS

LWDAs are required to have a financial management system which will provide at least the minimum standards set forth in 2 CFR200.302, Financial Management. The financial management system of each recipient and subrecipient shall provide federally required records and reports that are uniform in definition, accessible to authorized Federal and State staff, and verifiable for monitoring, reporting, audit, program management, and evaluation purposes (Section 185 (a)(1) and (2) of the Act). The awarding agency may review the adequacy of the financial management system of any recipient/subrecipient as part of a pre-award review or at any time subsequent to award.

LWDAs and subrecipients shall ensure that their own financial systems as well as those of their subrecipients provide fiscal control and accounting procedures that are in accordance with applicable generally accepted accounting principles (GAAP). The financial systems shall include:

(1) Information pertaining to subgrant and contract awards, obligations, unobligated balances, assets, liabilities, expenditures, and income;
(2) Effective internal controls to safeguard assets and assure their proper use;
(3) A comparison of actual expenditures with budgeted amounts for each subgrant and contract;
(4) Source documentation to support accounting records; and
(5) Proper charging of costs and cost allocation.

The financial management system shall also be sufficient to:

(1) Permit preparation of required reports;
(2) Permit the tracing of funds to a level of expenditure adequate to establish that funds have not been used in violation of the applicable restrictions on the use of such funds; and
(3) As required by Section 185 (f)(1) and (2) permit the tracing of program income, potential stand-in costs and other funds that are allowable except for funding limitations.
(4) Track expenditures by cost categories as Administrative or Program Costs as required by Section 185 (g) of the WIOA.

The oldest WIOA Grant funds must be obligated and expended first prior to obligating and expending the next year's grant funds; e.g. per (**NPRM**) 20 CFR683.110 (a), recipients should expend funds with the shortest period of availability first. A first-in, first-out approach is to be used.

WIOA COST PRINCIPLES

1. Allowable Costs

To be allowable, the cost must be necessary and reasonable for proper and efficient administration of the WIOA program. The cost must be allocable to the program, and, except as provided herein, not be a general expense required to carry out the overall responsibilities of the Governor or a governmental subrecipient. Costs charged to the program shall be accorded consistent treatment through application of generally accepted accounting principles appropriate to the WIOA program (Section 185 (e)(1) of the Act). Allocation of costs must be made consistent with a written cost allocation plan. Only those items of expenditures as denoted on or within the signed agreement are allowable. Other LWDA expenditures must follow the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; Final Rule (2 CFR Chapter I, Chapter II, Part 200 et. al. and 2 CFR Part 2900). The State and subrecipients must also abide by the cost principles addressed at 2 CFR, Subpart E.

These standards will apply irrespective of whether a particular item of cost is treated as direct or indirect cost. Direct and indirect costs shall be charged in accordance with the criteria identified in 2 CFR200.412-.414.

Cost allocable to another Federal grant, WIOA program, or cost category may not be shifted to a WIOA grant, subgrant, program or cost category to overcome fund deficiencies, avoid restrictions imposed by law or grant agreements, or for other reasons (2 CFR200.405 (c)). Funds provided under this Act shall not be used to duplicate facilities or services available in the area (with or without reimbursement) from Federal, State, or local sources, unless it is demonstrated that alternative services or facilities would be more effective or more likely to achieve the LWDA's performance goals. Applicable credits such as rebates, discounts, refunds and overpayment adjustments as well as interest earned on any of them, shall be credited as a reduction of costs if received during the same funding period that the cost was initially charged. Credits received after the funding period shall be returned to the State Office for return to the U.S. Department of Labor if the State's three-year availability has expired.

Consideration for relocated items of cost (2 CFR 200.420)

Audit Services (2 CFR200.425)
Bonding Costs (2 CFR200.427)
Collection of Improper Payments (2 CFR200.428)
Compensation – Personal Services (2 CFR200.430)
Compensation – Fringe Benefits (2 CFR200.431)
Conferences (2 CFR200.432)
Depreciation (2 CFR200.436)
Employee Health and Welfare Costs (2 CFR200.437)

Intellectual Property (2 CFR200.448)
Materials and Supplies (2 CFR200.453)
Memberships, Subscriptions, and Professional Activity Costs (2 CFR200.454)
Participant Support Costs (2 CFR200.456)
Plant and Security Costs (2 CFR200.457)
Professional Services Costs (2 CFR200.459)
Proposed Costs (2 CFR200.460)
Publication and Printing Costs (2 CFR200.461)
Recruiting Costs (2 CFR200.463)
Relocation Costs of Employees (2 CFR200.464)
Taxes (2 CFR200.470)
Termination Costs (2 CFR200.471)
Training and Education Costs (2 CFR200.472)
Transportation Costs (2 CFR200.473)
Travel Costs (2 CFR200.474)
Trustees (2 CFR200.475)

Refer specifically to each referenced citation for detailed descriptions of the above allowable costs. Failure to mention a particular item of cost is not intended to imply that it is either allowable or unallowable. Rather, determination of allowability in each case should be based on the treatment of standards provided for similar or related items of costs (2 CFR200.420). Other allowable costs, as specified below, include:

a. **Legal Expenses.** The cost of legal expenses required in the administration of grant programs is allowable. Legal expenses include the expenses incurred by the WIOA system in the establishment and maintenance of a grievance system, including the costs of hearings and appeals, and related expenses such as lawyer's fees. Legal expenses do not include costs resulting from, and after, the grievance process such as fines and penalties, which are not allowable, and settlement costs, which are allowable to the extent that such costs included in the settlement would have been allowable if charged to the WIOA program at the time they were incurred.

b. **Costs Associated With Volunteers.** Costs of travel and incidental expenses incurred by volunteers are allowable provided such costs are incurred for activities that are generally consistent with the Act.

c. **Physical and Programmatic Accessibility Costs.** Funds may be used to meet a recipient's or subrecipient's obligation to provide physical and programmatic accessibility and reasonable accommodation in regard to the WIOA program as required by Section 504 of the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act of 1990 (20 CFR667.275(a)(3)).

d. **Compensation for Personal Services.** Compensation for personal services of staff, including wages, salaries, supplementary compensation, and fringe benefits are allowable if such costs are documented and result from services provided in carrying out WIOA functions pursuant to an approved contract, subgrant or other such agreement. No State Office approval is required (State Policy).

e. **Board Councils, or Committee Costs.** Costs incurred by the Alabama Workforce Development Board, Local Workforce Development Boards and other advisory councils or committees must have been incurred as the result of the fulfillment of official WIOA duties as required by the Act and/or WIOA Regulations and meet the guidelines for allowable WIOA costs in order to be allowable costs to the WIOA program. Documentation must exist for such costs to be allowable. Also see 2 CFR200.422, Advisory Councils. No State Office approval is required (State Policy).

f. **Advertising Costs.** Advertising costs necessary for outreach, recruitment, and to provide information to the public regarding WIOA programs are allowable if such costs meet the necessary, reasonable, and allocable requirements used for all WIOA costs. Contractor, subgrantee, etc., advertising costs should be covered in an approved budget. Additional details as to these types of costs are provided at 2 CFR200.421, Advertising and Public Relations. No State Office approval is required (State Policy).

g. **Publication and Printing Costs.** The cost of publication or printing WIOA materials is allowable if such costs meet the necessary, reasonable, and allocable requirements used for all WIOA costs. Contractor, subgrantee, etc., publication or printing costs should be covered in an approved budget. No State Office approval is required (State Policy).

h. **Transportation and Travel Costs.** Requirements for transportation and travel are provided in Section VIII.B. 7., Travel Regulations, of this manual. Approval procedures are covered in the referenced section. See also 2 CFR200.473 and .474.

i. **Payments to OJT Employers, Training Institutions, and Other Vendors.** Payment to these entities should be authorized pursuant to approved contracts, purchase orders, etc., prior to any reimbursements, payments, etc. being made to such entities. No prior State Office approval is required (State Policy).

j. **Fees or Profits.** Commercial or for-profit WIOA service providers are allowed a fair and reasonable fee or profit. Cost plus contracts are unallowable. Fees or profits should be negotiated as a separate line item on WIOA agreements in which there is no price competition and in all cases where cost analysis is performed (2 CFR200.323 (b)). These should be in line with the industry average because excessive

fees or profits are unallowable. Fees or profits should not be concealed in budgetary line items. No State Office approval is required (State Policy).

k. **Taxes.** Unless an entity is tax-exempt and has all of the approved tax-exempt documents to document such tax exemption, then taxes should be remitted to the appropriate taxing authority. Payroll taxes are allowable and must be paid. Proof of such payments must be maintained for audit purposes. (Also, see 2 CFR200.470, Taxes (including Value Added Tax) for additional details regarding taxes.) No State Office approval is required (State Policy).

l. **Depreciation.** Depreciation is the method for allocating the costs of fixed assets to periods benefitting from asset use. The non-Federal entity may be compensated for the use of its buildings, capital improvements, equipment, and software projects capitalized in accordance with GAAP, provided that they are used, needed in the non-Federal entity's activities, and properly allocated to Federal awards. Such compensation must be made by computing depreciation. See additional details at 2 CFR200.436. No State Office approval is required (State Policy).

m. **Meeting Costs.** Meeting Costs are allowable when the primary purpose of the meeting is the dissemination of technical information relating to the WIOA program and is consistent with regular practices observed by the subrecipient with respect to other activities. See also 2 CFR200.432, Conferences, for additional details and requirements. No State Office approval is required (State Policy).

n. **Automated Data Processing.** The cost of data processing services to WIOA program is allowable. This cost may include rental of equipment or depreciation on LWDA owned equipment and does not require State Office approval.

o. **Rental Costs.** Subject to the limitations described below, rental costs are allowable to the extent that the rates are reasonable in light of such factors as: rental costs of comparable property, if any; market conditions in the area; alternatives available; and the type, life expectancy, condition, and value of the property leased. Rental costs under sale and leaseback arrangements are allowable only up to the amount that would be allowed had the governmental unit continued to own the property. Rental costs under less-than-arms-length leases are allowable only up to the amount that would be allowed had title to the property vested in the governmental unit. For this purpose, less-than-arms-length leases include, but are not limited to, those where:

(1) One party to the lease is able to control or substantially influence the actions of the other;

(2) Both parties are parts of the same governmental unit; or

(3) The governmental unit creates an authority or similar entity to acquire and lease the facilities to the governmental unit and other parties.

Rental costs under leases which are required to be treated as capital leases under GAAP are allowable only up to the amount that would be allowed had the governmental unit purchased the property on the date the lease agreement was executed. This amount would include expenses such as depreciation, maintenance, and insurance. The provisions of GAAP shall be used to determine whether a lease is a capital lease. Interest costs related to capital leases are allowable to the extent they meet the criteria in 2 CFR200.449, Interest.

p. **Maintenance, Operations, and Repairs.** Unless prohibited by law, the cost of utilities, insurance, security, janitorial services, elevator service, upkeep of grounds, necessary maintenance, normal repairs and alterations, and the like are allowable to the extent that they: (1) keep property (including Federal property, unless otherwise provided for) in an efficient operating condition, (2) do not add to the permanent value of property or appreciably prolong its intended life, and (3) are not otherwise included in rental or other charges for space. Costs which add to the permanent value of property or appreciably prolong its intended life shall be treated as capital expenditures. See 2 CFR200.452, Maintenance and Repair Costs, for additional details and requirements.

2. Costs Allowable With State Office Approval

For those selected items of cost requiring prior approval, the authority to grant or deny approval is delegated to the Governor for programs funded under Sections 127 or 132 of the Act (**NPRM**) (20 CFR683.200 (b)(2)).

a. **Rearrangements and Reconversion Costs (2 CFR200.462).** Costs incurred for ordinary and normal rearrangement and alteration of facilities are allowable. Special arrangements and alterations costs incurred specifically for a Federal award are allowable with the prior approval of the Federal awarding agency. Costs incurred for rearrangement and alteration of facilities required specifically for the grant program may be approved at the discretion of the LWDA in accordance with the following requirements. Details of Requirements:

Requests for approval should be submitted to the State Office (Division Chief, Workforce Development Division) and should specifically identify any projected costs for rearrangements and alterations which would result in an increase in value of the facilities by $5,000 or more or increase the useful life of the facilities by more

than one year. LWDAs may approve their contractors' requests to incur these types of costs if there is no material increase in the value (increase is less than $5,000) or no material increase (one year or less) in the useful life of the facilities (State Policy).

b. **Equipment and Other Capital Expenditures (2 CFR200.439).** The cost of facilities, equipment, other capital assets, and repairs which materially increase the value or useful life of capital assets is allowable when such procurement is specifically approved by the State Office. When assets acquired with Federal grant funds are (1.) sold; (2.) no longer available for use in a federally-sponsored program; or (3.) used for purposes not authorized by the State Office, the State Office's equity in the asset will be refunded in the same proportion as Federal participation in its cost. In case any assets are traded for new items, only the net cost of the newly-acquired assets is allowable (State Policy).

c. **Pre Award Costs (2 CFR200.458).** Costs incurred prior to the effective date of the grant or contract, whether or not they would have been allowable thereunder if incurred after such date, are allowable when specifically provided for in the grant or subgrant agreement (State Policy).

d. **Proposal Costs (2 CFR200.460).** Proposal costs are the costs of preparing bids, proposals, or applications on potential Federal and non-Federal awards or projects, including the development of data necessary to support the non-Federal entity's bids or proposals. Proposal costs of the current accounting period of both successful and unsuccessful bids and proposals normally should be treated as indirect (F & A) costs and allocated currently to all activities of the non-Federal entity. No proposal costs of past accounting periods will be allocable to the current period. However, in accordance with Section 107 (d)(12)(B)(ii) of the Act, a local workforce development board may solicit grant funds from other public and private sources.

e. **Insurance and Indemnification (2 CFR200.447).** According to (**NPRM**) 20 CFR683.280, each LWDA shall follow its normal insurance procedures except as otherwise indicated in this section. The USDOL nor the Grantor assumes any liability with respect to bodily injury, illness, or any other damages or losses, or with respect to any claims arising out of any activity under a WIOA grant or agreement whether concerning persons or property in the recipient's or any subrecipient's organization or that of any third party. To the extent that the State Workers' Compensation Law is applicable, workers' compensation benefits in accordance with such law shall be available with respect to injuries suffered by participants. Where not applicable, recipients and subrecipients shall secure insurance coverage for injuries suffered by such participants in all WIOA work-

related activities pursuant to (**NPRM**) 20 CFR683.280 (b)(2). Personal liability insurance for LWIB members should be considered under the LWDA's normal insurance procedures.

1. Costs of insurance required or approved and maintained, pursuant to the Federal award are allowable.
2. Costs of other insurance in connection with the general conduct of activities are allowable subject to the following limitations:
   (a) Types and extent and cost of coverage are in accordance with the governmental unit's policy and sound business practice.
   (b) Costs of insurance or of contributions to any reserve covering the risk of loss of, or damage to, Federal Government property are unallowable except to the extent that the awarding agency has specifically required or approved such costs.
3. Actual losses which could have been covered by permissible insurance (through a self-insurance program or otherwise) are unallowable, unless expressly provided for in the Federal award or as described below. However, the Federal Government will participate in actual losses of a self-insurance fund that are in excess of reserves. Costs incurred because of losses not covered under nominal deductible insurance coverage provided in keeping with sound management practice, and minor losses not covered by insurance, such as spoilage, breakage, and disappearance of small hand tools, which occur in the ordinary course of operations, are allowable.
4. Contributions to a reserve for certain self-insurance programs including workers' compensation, unemployment compensation, and severance pay are allowable subject to the following provisions:
   (a) The type of coverage and the extent of coverage and the rates and premiums would have been allowed had insurance (including reinsurance) been purchased to cover the risks. However, provision for known or reasonably estimated self-insured liabilities, which do not become payable for more than one year after the provision is made, shall not exceed the discounted present value of the liability. The rate used for discounting the liability must be determined by giving consideration to such factors as the governmental

unit's settlement rate for those liabilities and its investment rate of return.

(b) Earnings or investment income on reserves must be credited to those reserves.

(c) Contributions to reserves must be based on sound actuarial principles using historical experience and reasonable assumptions. Reserve levels must be analyzed and updated at least biennially for each major risk being insured and take into account any reinsurance, coinsurance, etc. Reserve levels related to employee-related coverages will normally be limited to the value of claims (a) submitted and adjudicated but not paid, (b) submitted but not adjudicated, and (c) incurred but not submitted. Reserve levels in excess of the amounts based on the above must be identified and justified in the cost allocation plan or indirect cost rate proposal.

(d) Accounting records, actuarial studies, and cost allocations (or billings) must recognize any significant differences due to types of insured risk and losses generated by the various insured activities or agencies of the governmental unit. If individual departments or agencies of the governmental unit experience significantly different levels of claims for a particular risk, those differences are to be recognized by the use of separate allocations or other techniques resulting in an equitable allocation.

(e) Whenever funds are transferred from a self-insurance reserve to other accounts (e.g., general fund), refunds shall be made to the Federal Government for its share of funds transferred, including earned or imputed interest from the date to transfer.

5. Actual claims paid to or on behalf of employees or former employees for workers' compensation, unemployment compensation, severance pay, and similar employee benefits are allowable in the year of payment provided (1) the governmental unit follows a consistent costing policy and (2) they are allocated as a general administrative expense to all activities of the governmental unit.

6. Insurance refunds shall be credited against insurance costs in the year the refund is received.

7. Indemnification includes securing the governmental unit against liabilities to third persons and other losses not

compensated by insurance or otherwise. The Federal Government is obligated to indemnify the governmental unit only to the extent expressly provided for in the Federal award, except as provide in subsection 4. above.

8. Costs of commercial insurance that protects against the costs of the contractor for correction of the contractor's own defects in materials or workmanship are unallowable.

9. Professional Service Costs (2 CFR200.459). Costs of professional and consultant services rendered by persons or organizations that are members of a particular profession or possess a special skill whether or not officers or employees of the government unit are allowable, subject to the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; Final Rule (2 CFR200.459 (b) and (c)) when reasonable in relation to the services rendered and when not contingent upon recovery of costs from the Federal Government.

3. Unallowable Costs

The following costs are not allowable charges to the WIOA program. Failure to mention a particular item of cost is not intended to imply that it is either allowable or unallowable. Rather, determination of allowability in each case should be based on the treatment of standards provided for similar or related items of costs.

a. **Bad Debts (2 CFR200.426).** Any losses arising from uncollectible accounts, other claims, and related costs, are unallowable unless provided for in Federal Program award regulations.

b. **Contingencies (2 CFR200.433).** Contributions to a contingency reserve or any similar provision for unforeseen events are unallowable.

c. **Contributions and Donations (2 CFR200.434).**

d. **Entertainment Costs (2 CFR200.438).** Costs of amusements, social activities, and incidental costs relating thereto, such as meals, beverages, lodgings, rentals, transportation, and gratuities, are unallowable.

e. **Fines, Penalties Damages, and Other Settlements (2 CFR200.441).** Costs resulting from non-Federal entity violations or alleged violations of, or failure to comply with Federal, State, local, or foreign laws and regulations are unallowable, except when incurred as a result of compliance with specific provisions of the Federal award or with prior written approval of the Federal awarding agency.

f. **Governor's Expenses.** The salaries and expenses of the Office of the Governor of a State, or the chief executive of a political subdivision, are considered a cost of general State or local government and are unallowable.

g. **Interest Costs.** Interest costs incurred for interest on borrowed capital, temporary use of endowment funds, or the use of the non-Federal entities own funds, however represented, are unallowable. Financing costs (including interest) to acquire, construct, or replace capital assets are allowable subject to the conditions at 2 CFR200.449.

h. **Legislative Expenses.** Salaries and other expenses of the State legislature or similar local governmental bodies such as county supervisors, city councils, school boards, etc., whether incurred for purposes of legislation or executive direction, are unallowable.

I. **Under recovery of Costs Under Grant Agreements.** Any excess costs over the Federal contribution under one grant agreement are unallowable under other award agreements.

j. **Insurance Costs.** Costs of insurance policies offering protection against debts established by the State or Federal government are unallowable.

k. **Legal Expenses.** Costs of legal services furnished by the chief legal officer of a State, local or Indian tribal government or his staff solely for the purpose of discharging his general responsibilities as legal officer are unallowable. Legal expenses incurred in the prosecution of claims against the State or Federal Government, including appeals to an Administrative Law Judge, are unallowable.

l. **Public Service Employment.** Costs of public service employment, except to provide disaster relief employment, as specifically authorized in Section 170 (d) of the Act (WIOA Section 194 (10)) are unallowable (**NPRM**) (20 CFR683.250 (a)(2)). Public service employment is subsidized employment with a public entity. An employee/employer relationship exists between the public entity <u>and</u> the employee.

m. **Sectarian Activities.** Costs of employment or training of participants in sectarian activities are unallowable (Section 188 (a)(3)).

n. **Political Activities.** Costs involving political activities are unallowable.

o. **Participant Retirement Systems.** Contributions on behalf of participants to retirement systems or plans are unallowable.

p. **Replacing Laid-Off Workers.** Costs of employment of participants in positions where any other individual is on lay off from the same or any substantially equivalent job are unallowable.

q. **Replacing Terminated Workers.** Costs of employment of participants in positions when the employer has terminated the employment of

any regular employee or otherwise reduced its workforce with the intention of filling the vacancy so created by hiring a participant whose wages are subsidized under the Act are unallowable.

r. **Infringement of Promotion Opportunities.** Costs of employment of participants in jobs created in a promotional line that will infringe in any way upon the promotion of currently employed individuals are unallowable.

s. **Back Pay.** Unless it represents additional pay for WIOA services performed for which the individual was underpaid, is not an allowable WIOA cost.

t. **Lobbying Costs.** Costs prohibited by 29 CFR Part 93 (Lobbying Restrictions or costs of any salaries or expenses related to any activity designed to influence legislation or appropriations pending before the Congress of the United States are unallowable WIOA costs (WIOA Section 195 (a)(1)). See also 2 CFR200.450, Lobbying.

u. **Relocation.** No funds provided under the Act shall be used, or proposed for use, to encourage or to induce the relocation of an establishment, or part thereof, that results in the loss of employment for any employee of such establishment at the original location. For 120 days after the commencement of the expansion of commercial operations of relocating establishment, no funds provided under this Act shall be used for customized or skill training, on-the-job training, or company specific-assessments of job applicants or employees, for any relocating establishment or part thereof at a new, or expanded location, if the relocation of such establishment or part thereof results in a loss of employment for any employee of such establishment at the original location (**NPRM**) (20 CFR683.260 (a)(1)(2)).

v. **Employment Generating Activities.** No funds available under the Act shall be used for employment generating activities, economic development and other similar activities unless they are directly related to training for eligible individuals (**NPRM**) (20 CFR683.245 (a)).

w. **Foreign Travel.** No funds under Subtitle B, Title I of the Act shall be used for foreign travel (WIOA Section 181 (e)).

x. **Loans.** Loans, including advances to employees for unearned income, are not allowable WIOA costs.

y. **Proposal Costs.** The preparation of proposals for submittal to any agency (State or otherwise) below the Federal level is not an allowable WIOA cost.

z. **Wages of Incumbent Employees.** The wages of incumbent employees during their participation in economic development activities provided through a statewide workforce investment system

(WIOA Section 181 (b)(1)) are not allowable WIOA costs.

aa. **Fund Raising and Investment Management Costs.**

1. Costs of organized fund raising, including financial campaigns, endorsement drives, solicitation of gifts and bequests, and similar expenses incurred to raise capital or obtain contributions are unallowable, regardless of the purpose for which the funds will be used. (2 CFR200.442. (a))

2. Fund raising costs for the purposes of meeting the Federal program objectives are allowable with prior written approval from the Federal awarding agency (2 CFR200.442 (a)). See also 2 CFR2900.10, Prior Approval Requests.

3. Costs of investment counsel and staff and similar expenses incurred to enhance income from investments are unallowable, except when associated with investments covering pension, self-insurance, or other funds which include Federal participation allowed by 2 CFR200.442 (b).

4. Both allowable and unallowable fund-raising and investment activities must be allocated as an appropriate share of indirect costs under the conditions described in 2 CFR200.413, Direct Costs.

bb. **Stand-In Costs.** Costs from non-WIOA funds proposed for use as substitutes for otherwise unallowable costs are called stand-in costs. To be considered, the proposed "stand-in" costs shall have been reported as uncharged WIOA program costs on Subrecipient's Invoice Report (WDD-9) or LWDA Financial Status Reports (as applicable) and related backup forms and accounted for in the auditee's financial system as required by the Act (Section 185 (f)).

LWDA COST ALLOCATIONS

If the LWDA incurs costs which benefit more than one fund source and the costs are not readily assignable to the benefiting fund source, the LWDA must develop a cost allocation plan to assign the costs to the benefiting fund source.

Generally accepted accounting principles should serve as the basis for the cost allocation plans and shared or joint costs should be allocated to Federal, State, and local programs consistently.

1. <u>Indirect Cost Rates</u>

Indirect (administrative and/or program) costs represent the general management and support functions of an organization, and are costs incurred for a common or joint purpose benefiting more than one cost objective. Such costs include, but may

not be limited to: salaries and fringe benefits of personnel involved, related materials, supplies, equipment, office space, and staff training. Indirect cost rates are subject to review by the State Office. Additionally, the State Office may opt to approve indirect cost rates if the circumstances dictate such action (State Policy). See also 2 CFR 200.414, Indirect (F and A) Costs for additional guidance.

2. LWDA Cost Allocation Plans

A cost is allocable to a particular cost objective or category to the extent of benefits received by such cost objective or category. Any cost allocable to a particular award or cost objective may not be shifted to other Federal awards to overcome fund deficiencies, avoid restrictions imposed by law or terms of the Federal awards, or for other reasons. Where an allocation of joint costs will ultimately result in charges to a WIOA or other federally supported program, a written cost allocation plan will be required. Allocation of costs must be consistent with the written cost allocation plan. Any amendments of the cost allocation plan must be retroactive to the beginning of the plan year.

Guidance at 2 CFR200.412 and .413 governs how to charge direct and indirect costs. It also governs the process for allocation of direct and indirect costs. Information regarding indirect costs and how to classify those costs are provided at 2 CFR200.414.

If the LWDA opts to develop a cost allocation plan to distribute costs as they occur, the State will not require prior approval of the plan. It should be developed and maintained on file for review (State Policy). Cost allocation plans for states, local governments, and Indian Tribes are addressed at 2 CFR200.416.

3. Cost Pooling

Joint and similar types of costs may be charged initially to a cost pool used for the accumulation of such costs pending distribution in due course to the ultimate benefiting cost objective/category. However, administrative costs are not required to be allocated back to the individual funding streams (**NPRM**) (20 CFR683.205 (a)(3)).

a. LWDA Formula

An LWDA may pool its administrative costs for all WIOA Programs. An administrative cost pool may only contain one program/fiscal year allocation; i.e., the administrative cost pool may not contain allocations from different program\fiscal years. If the LWDA opts to pool its WIOA administrative funds, any formula (must be written) will be acceptable as long as it conforms with generally accepted accounting principles and:

(1) No title contributes more to the pool than the regulations and Act allow.

(2) Only allowable WIOA administrative costs are charged to the pool.

An LWDA cost pool may consist of the LWDA's operational administrative costs (both direct and indirect) of Adult, Youth, and Dislocated Worker funds.

b. Subrecipient Formula

Subrecipients who serve (1) one or more LWDAs, or (2) one or more LWDA's and other WIOA funding streams may pool their administrative costs. Any formula will be acceptable as long as it conforms with generally accepted accounting principles and:

(1) No title contributes more to the pool than the LWDA allows.

(2) Only allowable LWDA administrative costs are charged to the pool.

Neither the five percent of the amount allotted that may be reserved for statewide administrative costs nor the ten percent of the amount that may be reserved for local administrative costs need to be allocated back to the individual funding streams per (**NPRM**) 20 CFR683.205 (a)(3).

Funds contributed to an administrative cost pool are not considered obligated as such contributions do not meet the definition of obligations as contained at 2 CFR200.71. Unspent administrative funds must continue to be tracked against the program year from which the initial allocation was made.

COST CATEGORIES

WIOA Title I costs must be planned, controlled, charged, and reported under the following cost objectives/categories: (1) administration, and (2) program (Section 185(g)). Costs are allocable to a particular cost category to the extent that documented benefits are received by such category. (**NPRM**) Section 683.215 of the WIOA Regulations, "What Workforce Innovation and Opportunity Act, Title I functions and activities constitute the costs of administration subject to the administrative cost limitation?" is quoted close to verbatim in regard to administration and program costs.

1. Administration and Program Costs:

(a) The costs of administration are expenditures incurred by State and Local Workforce Development Boards, Regions, direct grant recipients, including State grant recipients under subtitle B of title I of WIOA, and recipients of awards under subtitle D of title I, as well as local grant recipients, local grant subrecipients, local fiscal agents and one-stop operators that are associated with those specific functions identified in paragraph (b) of this section and which are not related to

the direct provision of workforce investment services, including services to participants and employers. These costs can be both personnel and non-personnel and both direct and indirect.

(b) The cost of administration are the costs associated with performing the following functions:

(1) Performing the following overall general administrative functions and coordination of those functions under WIOA Title I:

(i) accounting, budgeting, financial and cash management functions;

(ii) procurement and purchasing functions;

(iii) property management functions;

(iv) personnel management functions;

(v) payroll functions;

(vi) coordinating the resolution of findings arising from audits, reviews, investigations and incident reports;

(vii) audit functions;

(viii) general legal services functions;

(ix) developing systems and procedures, including information systems, required for these administrative functions; and

(x) fiscal agent responsibilities;

(2) Performing oversight and monitoring responsibilities related to WIOA administrative functions;

(3) Costs of goods and services required for administrative functions of the program, including goods and services such as rental or purchase of equipment, utilities, office supplies, postage, and rental and maintenance of office space;

(4) Travel costs incurred for official business in carrying out administrative activities or the overall management of the WIOA system; and

(5) Costs of information systems related to administrative functions (for example, personnel, procurement, purchasing, property management, accounting and payroll systems) including the purchase, systems development and operating costs of such systems.

(c) Only that portion of the costs of One-Stop operators which are associated with the performance of the administrative functions described in paragraph (b) of this section and awards to subrecipients

or vendors that are solely for the performance of the administrative functions described in paragraph (b) of this section are classified as administrative costs. All other costs of one-stop operators are classified as program costs.

Personnel and related non-personnel costs of staff that perform both administrative functions specified in paragraph (b) of this section and programmatic services or activities must be allocated as administrative or program costs to the benefiting cost objectives/categories based on documented distributions of actual time worked or other equitable cost allocation methods.

Specific costs charged to an overhead or indirect cost pool that can be identified directly as a program cost are to be charged as a program cost. Documentation of such charges must be maintained.

Except as provided in this section (**NPRM**) (20 CFR683.215 (c)(1)), all costs incurred for functions and activities of subrecipients and vendors are program costs.

Continuous improvement activities are charged to the administration or program category based on the purpose or nature of the activity to be improved. Documentation of such charges must be maintained.

Costs of the following information systems including the purchase, systems development and operating (e.g. data entry) costs are charged to the program category:

(a) Tracking or monitoring of participant and performance information;

(b) Employment statistics information, including job listing information, job skills information, and demand occupation information;

(c) Performance and program cost information on eligible providers of training services, youth activities, and appropriate education activities;

(d) Local area performance information; and

(e) Information relating to supportive services and unemployment insurance claims for program participants.

Where possible, entities identified in this section must make efforts to streamline services to reduce administrative costs by minimizing duplication and effectively using information technology to improve services.

2. <u>Other Cost Classification Guidance</u>

Incentive funds under the WIOA come from the statewide activities funds and are separate from the amount that the State uses for administration of the WIOA

program. The expenditure of these funds at the local level will need to be tracked and reported separately to the State because the State will have to report these expenditures as part of the statewide activities costs. Incentive funds are not subject to any cost limitations and may be used for any allowable WIOA activity/purpose at the local level.

Planning costs - - developing and writing the state plan and/or local plans are program costs. Monitoring and oversight of program activities are program costs. As noted earlier, monitoring and oversight of administrative functions are administrative costs.

Profit, fees, and other revenues earned by a subrecipient that are in excess of actual costs incurred, to the extent allowable and consistent with the guidelines on allowable costs prescribed by the Governor in accordance with the (**NPRM**) 20 CFR683.200 (b), allowable costs and cost principles may be allocated to the two cost categories based on the proportionate share of actual cost incurred attributable to each category.

In addition to the specific cost category requirements listed above, it must be noted that the USDOL Regulations (2 CFR200.405 (c)) prohibit costs allocable to another Federal grant, WIOA program, or cost category being shifted to a WIOA grant, subgrant, program, or cost category to overcome fund deficiencies, avoid restrictions imposed by law or grant agreements, or for other reasons. If all costs are properly charged, accounted for, and reported based on the principle of "benefits received," compliance with the cost category requirements should be attainable. This does not prohibit funds from two separate grants from supporting the WIOA program at the same time; however, the oldest funds should be expended first.

COST LIMITATIONS

1. Administration

As part of the 15 percent that a state may reserve for statewide activities, the state may spend up to five percent (5%) of the amount allotted under Section 127 (b)(1), 132 (b)(1) and 132 (b)(2) of the Act for the administrative costs of statewide workforce investment activities (**NPRM**) (20 CFR683.205 (a)(1)). Local Workforce Development Area (LWDA) expenditures for administrative purposes under WIOA formula grants are limited to no more than ten percent (10%) of the amount allocated to the local area under sections 127 (b)(1), 128 (b), and 132 (b) of the Act.

Costs of information technology-computer hardware and software-needed for tracking and monitoring of WIOA participant and performance information, employment statistics information, including job listing information, job skills information, and demand occupation information, performance and program cost information on eligible providers of training services, youth activities, and appropriate education activities, local performance information, information related to supportive services, and unemployment insurance claims for program

participants are excluded from the administrative cost calculation as these are program costs, which also includes data entry and operational costs of the information systems per (**NPRM**) 20 CFR683.215 (c)(6). In a One-Stop environment, administrative costs borne by other sources of funds, such as the Wagner-Peyser Act, are not included in the administrative cost limit calculation. Each program's administrative activities are chargeable to its own grant and subject to its own administrative cost limitations (**NPRM**) (20 CFR683.205 (a)(4)).

2. National Reserve Account Grants

Limits on administrative costs for programs operated under Subtitle D of Title I will be identified in the grant or cooperative agreement (**NPRM**) (20 CFR683.205 (b)).

TRANSFER AND INCENTIVE POLICY

1. Clarification/Transfer Policy

A local board may transfer up to 100 percent of a program year allocation for adult employment and training activities and up to 100 percent of a program year allocation for dislocated worker employment and training activities between the two programs per (**NPRM**) (20 CFR683.130 (a)). All local workforce development area requests for fund transfers will be documented within each appropriately approved WIOA Grant Agreement. The Governor's approval of the plan containing each transfer will denote compliance with the Act at Section 133 (b)(4).

Before making any such transfers, a local board must obtain the Governor's written approval per (**NPRM**) 20 CFR683.130 (b).

Employment and Training Administration
Workforce Innovation and Opportunity Act
Fund Transfers
Clarification of Transfers

Note: Transfers apply only to funds to Local Workforce Development Areas

Life of Funds	Adult Training	Youth Training	Dislocated Workers
State = 3 Years* LWDA = 2 Years* (S)	Up to 100% to Dislocated Workers (S)	No Transfer Allowed (S)	Up to 100% Adult Employment & Training (S)

Authority. (S) Statutory-denotes WIOA Section #: 133 (b)(4) (See below)

* Funds have a three-year life for each allocation. Funds allocated to LWDAs have a two-year life after which remaining funds are recaptured and reallocated to the State and/or to LWDAs in compliance with the two-year LWDA spending limitation for expenditure during the remaining one-year life of the funds.

Ordinarily, transfer requests will be contained within the local workforce investment area initial WIOA Grant Agreement. Local workforce development area transfer requests made subsequent to initial annual Grant Agreement submission must be accompanied by narrative justification. Transfers may be made anytime during the two-year life of the funds. Transfers may only be made between the Adult and Dislocated Worker fund sources per Section 133 (4)(A) and (B) of the WIOA.

2. Incentive Awards

Section 134 (a)(3)(A)(xi) of the Act states that from funds made available under Sections 128 (a)(1) and 133 (a)(1) the Governor may award incentive grants to local workforce development areas for performance by the local areas on local performance accountability measures described in Section 116 (c) of the Act. Each LWDA should take steps to provide for the separate tracking of incentive funds. Providing incentive funds is no longer a required statewide employment and training activity. However, the State will continue to budget funds to reward superior local area program performance. If Congress fails to allocate any of the Governor's 10 Percent funds for any program year, then no incentive funds will be awarded during that program year.

CASH REQUIREMENTS

1. Cash Management

Each LWDA and its subgrantees must establish and maintain a cash management system which will provide for the adequate control of funds and minimize the time elapsing between the receipt and disbursement of funds. Minimize means that a zero balance is the desirable goal. 2 CFR200.305 (a), interest earned on advances shall result in an interest liability accrual between Federal agencies and State government as provided by the Cash Management Improvement Act (31 U.S.C. 6501 et req.) and implementing regulations at 31 CFR Part 205. Each recipient and subrecipient shall account for interest earned on advances of Federal funds as program income as provided by the WIOA Regulations at (**NPRM**) 20 CFR683.200 (a)(6) and Section 194 (7)(A), (B), and (C) of the Act.

In regard to subrecipients, any advance of Federal funds drawn down by either advance or a working capital advance and not disbursed within thirty (30) days from the date of the advance must be refunded to ADECA (State (ADECA) Policy). Pursuant to 2 CFR2900.7, Payment, the non-Federal entity should liquidate existing advances of U.S. Department of Labor funds before it requests additional advances.

Other requirements are as follows:

a. A separate bank account is not required, but procedures must be in place to separately account for Federal funds on deposit in accordance with 2 CFR200.305 (a)(7).

b. Bank statements must be reconciled at least monthly.

c. Funds must be deposited daily in a bank with FDIC coverage or a savings and loan institution with NCUA coverage. The balance of funds in excess of FDIC or NCUA coverage must be collaterally secured.

d. Internal controls must be established and maintained to a level sufficient to prevent misuse of funds.

2. Cash Request (State Policy)

Each LWDA with an approved WIOA Grant Agreement must have an Authorized Signature Card (WDD 6-See Exhibit C) on file with the State Office before requesting cash.

Each LWDA should follow the provisions under the Cash Management section of these guidelines in minimizing daily cash balances and should plan to request cash daily, if necessary, to satisfy these requirements.

Each LWDA should project and request cash soon enough to allow for the mailing of the request to the State Office, processing time by the State Office, and mailing of the check back to the LWDA.

WIOA Status of Funds Report and Cash Request Form (WDD32 – Revised July, 2015 - See Exhibit D) must be used to request cash. When the LWDA's annual allocation is from two or more funding year appropriations, the LWDA must submit a separate WDD-32 for each year's funds (i.e., separate reports for PY14, FY15, etc.) In addition, any Governor's 15 percent funds awarded to the LWDAs must be drawn down as Adult, Dislocated Worker, or Youth funds. Currently, an original of each form, with original signatures, must be submitted to the State Office in accordance with instruction on the back of the form. Beginning in October 2015 a scanned, signed copy can be e-mailed to the State Office (ADECA's Fiscal Services Section or the subsequent entity) for processing.

The LWDA should telephone or e-mail its cash request to the State Office before 9:00 a.m. on the day the cash request form is being prepared. The request should be mailed as early as possible on the day the telephone or e-mail request is made. Beginning in October 2015, no original documents are required to be submitted for a cash drawdown. E-mailed signed copies will be accepted at that time. Original signed paper copies should be retained by the LWDA with a copy of the e-mail transmitting each electronic document for processing by ADECA's Fiscal Services Section (or the subsequent entity).

The State Office will process the request for payment immediately upon receipt and will mail the check to the LWDA. Note that electronic funds transfers should begin in October 2015 and/or when the State's new accounting system is operational.

3. Cash Transfers

Transfers between funding streams under the same grant should also be held to a minimum.

Items No. 5F-Total, and 6F-Total must reflect the same dollar amounts either positive or negative. If one grant's cash request form reflects a negative amount, another grant's cash request form must reflect an amount equal to or greater than the negative.

Excess cash drawn under one grant should be transferred to the next year's grant within ten (10) days following the submission of the final cost report.

PLANNING/BUDGETING

1. Title I – Adult, Youth, and Dislocated Worker Funds

Funds are appropriated by the Congress for use in a particular program year.

The Act provides that funds allocated by the State to LWDAs under WIOA Sections 128 (b) and 133 (b) for any program year are available for expenditure only during that program year and the succeeding program year (Section 189 (g)(2)(A) and the Regulations at (**NPRM**) 20 CFR683.110 (c)(1)(i)).

Per the WIOA at Section 189 (g)(2)(B)(i) and the (**NPRM**) 20 CFR683.110 (c)(ii), Pay for Performance represents an exception to the two-year limitation. Funds used to carry out pay-for-performance contract strategies will remain available until expended in accordance with WIOA Section 189 (g)(2)(B)(i).

LWDAs are encouraged to broaden the scope of their planning and fully obligate all of each grant's funds to the greatest extent possible. Not less than 80 percent (80%) of the funds available in each year's grant must be obligated by the end of the first year or the LWDA will face the possibility of losing funds through the reallocation process. Note the procedures and requirements in the WIOA's Implementing Regulations (**NPRM**) 20 CFR683.140 (a) – (c).

Policy requires that each year's grant funds be tracked and reported separately and be expended based upon "benefits received" criteria.

Each LWDA must monitor and control the expenditure of funds in accordance with its approved grant agreement package and WIOA subrecipient agreements.

REPORTING

LWDAs must report on WIOA fund availability, obligations, accrued expenditures, and participants as required by the State Office (Refer to applicable Governor's Workforce Innovation Directives regarding reporting responsibilities and instructions). Each LWDA's quarterly reports are due in the State Office forty (40) days after the end of each quarterly reporting period. LWDAs must report costs on a cumulative basis until all PY funds awarded in each WIOA grant agreement have been expended or reallocated. A final expenditure report is required when all funds awarded in a grant agreement have been fully expended or the grant expires, whichever occurs first.

Every effort should be made to keep track of and report accurate accrued expenditures. The State Office will not be responsible for inaccurate reporting by the LWDAs. LWDAs should review their procedures periodically to insure that all accruals will be included in each quarterly report. The State Office prefers that LWDAs not submit revised quarterly reports after the state's combined reports have been submitted to the U.S. Department of Labor by the State Office.

The Subgrantee Cash Control Worksheet (WDD-27, Exhibit L) and the WIOA Status of Funds Report and Cash Request Form (WDD-32, Exhibit D) already provide basically the same information.

CLOSEOUT

The Grant Officer shall close out each state's WIOA grant agreement within a timely period after the funding period covered by the award has expired.

Revisions to the reported expenditures for a program year of funds may be made until 90 days after the time limitation for expenditure of WIOA funds, as set forth in Section 189 (g)(2) of the Act, has expired. The Grant Officer may extend this deadline if the recipient submits a written request with justification. After that time, the Grant Officer shall consider all reports received as final and no additional revisions may be made.

When closing out a WIOA grant, the Grant Officer shall notify the recipient, by mail, that, since the time limitation for expenditure of funds covered by the grant award has expired, it is the U.S. Department of Labor's intent to close the annual grant as follows:

(1) **Cost adjustment.** Based on receipt of reports, the Grant Officer shall make upward or downward adjustments to the allowable costs; and

(2) **Cash adjustment.** USDOL shall make prompt payment to the recipient for allowable reimbursable costs. The recipient shall

promptly refund to the USDOL any balance of cash advanced that is in excess of allowable costs for the grant award being closed.

The recipient shall have an additional 60 days after the date of the notice in which to provide the Grant Officer with information as to the reason(s) why closeout should not occur.

At the end of the 60-day period, the Grant Officer shall notify the recipient that closeout has occurred, unless information provided by the recipient, indicates otherwise.

WIOA and Other Subrecipient Closeout – The State Office will issue specific closeout instructions to local service providers at the appropriate time to ensure orderly closeout of grants at the state level.

AUDITS

All Subrecipients of federal funds must follow the Audit requirements identified in the Office of Management and Budget Administrative Requirements, 2 CFR Part 200, Subpart F – Audit Requirements. Additionally, if any Subrecipient receives more than $500,000, collectively, in State General Fund appropriations in their fiscal year, from ADECA, they must have an audit in accordance with *Government Auditing Standards* (the Yellow Book) and Generally Accepted Auditing Standards established by the AICPA.

Nothing contained in this agreement shall be construed to mean that ADECA cannot utilize its auditors regarding limited scope audits of various ADECA funds. Audits of this nature shall be planned and carried out in such a way as to avoid duplication or not to exceed the audit coverage limits as stated in the Uniform Administrative Requirements.

Copies of all required audits must be submitted to:

Alabama Department of Economic & Community Affairs (ADECA)
Attention: Chief Audit Executive
Post Office Box 5690
401 Adams Avenue
Montgomery, Alabama 36103-5690

And an additional copy to:

Alabama Department of Examiners of Public Accounts
Attention: Audit Report Repository
Post Office Box 302251
Montgomery, Alabama 36130-2251

All entities that have a single audit must submit the reporting package and data collection form to the Federal Audit Clearinghouse in accordance with 2 CFR Part 200, Subpart F §200.512.

DISALLOWED WIOA COSTS

The closeout of a grant does not affect the Grant Officer's right to disallow costs and recover funds on the basis of a later audit or other review or the recipient's obligation to return any funds due as a result of later refunds, corrections, subrecipient audit disallowances, or other transactions (2 CFR200.344 (a)).

WIOA funds which have been questioned by auditors, program monitors, or fiscal monitors and ultimately disallowed as WIOA costs are subject to the following policies/procedures through page III-30.

Refunds, rebates or credits applicable to this program are properly chargeable or returnable to the applicable State or local workforce investment area. These funds must be reprogrammed and utilized for authorized WIOA program activities.

It is ETA's policy that a misexpenditure of funds results when a liability arises due to:

> "Willful disregard of the requirements of the Act and regulations" or "gross negligence" or "failure to observe accepted standards of administration," or "a pattern of misexpenditure under Section 184 (d)(1) of the Act."
>
> "Fraud, Misfeasance, Nonfeasance, Malfeasance," or other serious violations as defined in TEGL No. 2-12.
>
> "Illegal acts or irregularities" which are required to be reported in accordance with 2 CFR200.516 the Uniform Administrative Guidance and Government Auditing Standards paragraph 5.21.

The USDOL requires a revised final cost report to reduce costs for refunds received, including payment of disallowed costs, until the grant affected has been closed. After a grant is closed, USDOL will not accept revised final cost reports. It is ETA's policy to reduce the notice of obligation(s), for disallowed costs. This policy applies whether the misexpenditure occurs at the recipient or at any subrecipient level and is followed until a grant is closed. After the closeout of a grant, any disallowed costs sent to the USDOL are deposited as "miscellaneous receipts." The closed grant is not reopened.

In those instances where the liability does not arise under the above categories and there has been a repayment of non-Federal funds to the recipient, the funds shall be reprogrammed into the same WIOA program, provided this reprogramming takes place during the program year the funds were obligated by the USDOL, or the succeeding program year.

Any funds remitted to ETA because the three-year availability (Local Workforce Development Area funds only have a two-year life) period has expired will not be available to the State for subsequent drawdown or expenditure.

In those cases where non-Federal funds are reprogrammed, documentation relating to the repayment of the liability and the reprogramming of the funds should be maintained and available for review during the compliance review process.

Character of Reallocated or Reallotted Funds-The reallotment or reallocation of funds does not change the character of the funds. All reallotted and reallocated funds must continue to be expended in accordance with the requirements of the Act under which such funds are made available and in accordance with the statutory and regulatory requirements for the use of such funds.

Section 189 (g)(2)(A) of the Act limits the time period in which WIOA funds may be expended to three years, except funds for pay-per-performance contracts, which are available until expended per Section 189 (g)(2)(D).

The Governor's policy on the use of these funds is derived from the USDOL's policies stated above and from Section 189 (g)(2) of the Act.

Any funds that must be remitted to the USDOL relating to an active grant will be a refund of federal funds. Subgrantees and/or LWDAs must submit revised invoices or cost reports when necessary to reduce federal expenditures reported. Any funds remitted to the USDOL, after a grant has been closed by the USDOL, will be from non-federal funds. Revised expenditure reports are not required by the USDOL after a grant closes.

Since WIOA funds have already been expended and local funds used to offset the disallowed costs, this procedure reduces the total amount authorized for draw down and expenditure under a current LWDA's approved WIOA Grant Agreement.

1. <u>State/LWDA WIOA Grants</u>

Disallowed WIOA costs shall be refunded to the WIOA program from non-Federal funds and must be reprogrammed and utilized for authorized WIOA activities in accordance with the above USDOL policies and the provisions of the Act, except as specified below:

a. The Governor reserves the right to require, as determined on a case by case basis, that all disallowed costs be returned to the State Office, regardless of whether the funds were expended under a grant, contract, or subrecipient agreement (State Policy).

b. In cases where serious violations of the Act or regulations have occurred (i.e., fraud, abuse, gross mismanagement, etc. or where the

two-year availability has expired, the LWDA shall submit a refund of the federal funds for the amount of the disallowed costs. A revised cost report reducing expenditures must accompany the refund. (Disallowed costs must be paid from non-federal funds). If the state has closed the related grant with USDOL, the LWDA shall submit a refund of the disallowed costs from non-federal funds. A revised WIOA cost report is not required after USDOL closes a grant. Funds recovered by the State under this paragraph shall be remitted to USDOL within 30 days of receipt by the State.

c. Unless the Governor requires that disallowed costs be refunded to the State Office under a. or b. above, the LWDA may retain the refunds and reprogram the funds in accordance with the Governor's policies.

2. Repayment Methods (State Policy) – State/LWDA WIOA Grants.

Disallowed costs create an additional availability of program funds. If costs are reduced, availability is increased. When disallowed costs are returned to the State Office, any availability created as a result of the refund is lost.

Additional Cost Method. Under this method, the LWDA is required to expend from non-Federal funds a like amount for the disallowed costs in support of the WIOA program. A separate financial report must be submitted to the State Office identifying the expenditure of the funds. The financial report must be traceable to the LWDA's books and records. This method of repayment has no effect on WIOA costs reported in current or prior program years.

Cash Request Form WDD 32 Method. Under this method, the LWDA is required to deposit local funds in their WIOA account for the amount of the disallowed costs. This deposit must be recorded in the LWDA's accounts as a refund against disbursements, thus reducing WIOA expenditures and creating the additional availability mentioned above.

The LWDA must document with the State Office that the funds have been reprogrammed by returning the cash via Cash Request Form WDD 32. A credit entry must be made on the form in the amount of the disallowed costs against the current year's WIOA grant for the same funding stream. This adjustment can only be made when the LWDA is requesting an amount equal to or greater than the amount being returned to the State Office.

The LWDA must submit to the State Office: (1) the WDD 32 on which the repayment was made, (2) documentation identifying the LWDA grant number to which the repayment applies, subrecipient name, subrecipient contract number, (3) evidence, as required by the State Office, that non-Federal funds have been deposited to the WIOA account (copies of subrecipient checks and deposit slips, etc.) or other local transfer vouchers showing that cash was taken from non-Federal funds and credited to WIOA.

The WDD 32 repayment method is the preferred method when the LWDA is allowed to reprogram the funds in accordance with paragraph 1. c. above.

Check Method. This is the least preferred method of repayment and should not be used except as specified herein. If an LWDA is dissolved, terminated or other conditions exist that would not allow repayment by either **Additional Cost Method or Cash Request Form WDD 32 Method,** the LWDA is required to refund disallowed costs as provided in paragraph 1. b. above, the LWDA will be required to submit a check for the amount of the disallowed costs.

The LWDA must provide the LWDA grant number to which the repayment applies, subrecipient name, and subrecipient contract number along with the check.

Disallowed costs recovered under this repayment method will be remitted to the USDOL within 30 days of receipt by the State.

Stand-In Method. If "stand-in" costs are proposed for use as substitutes for otherwise unallowable costs, the proposal shall be included with the audit resolution report. To be considered, the proposed "stand-in" costs shall have been reported as uncharged WIOA program costs, included within the scope of the audit, and accounted for in the auditee's financial system as required by Section 185 (f) of the Act.

Other Methods. On a case-by-case basis, alternative methods may be authorized by the State Office.

3. State/LWDA WIOA Contracts

Disallowed WIOA costs shall be refunded to the WIOA program from non-Federal funds in accordance with the Governor's policies for WIOA grants under Repayment Methods (State Policy) – State/LWDA WIOA Grants above, except as specified below:

a. If the LWDA does not have a current contract with the State Office, disallowed costs, both at the LWDA level and subrecipient level, must be returned to the State Office (State Policy).

b. Disallowed costs at the LWDA level applicable to a prior year's contract must be returned to the State Office.

c. In cases where serious violations of the Act or regulations have occurred, as provided under paragraph 1.b. above, the LWDA shall refund to the State Office the amount of the disallowed costs from non-Federal sources.

d. Any other refunds for disallowed costs may be retained and reprogrammed by the LWDA under the current year's contract.

4. Repayment Method (State Policy) – State/LWDA Contracts

If the LWDA is required to return disallowed costs to the State Office, the LWDA shall submit a check to the State Office for the amount of the disallowed costs.

Disallowed costs returned in accordance with paragraph 3. a. and b. must be submitted along with the appropriate Contractor's Invoice reducing WIOA expenditures in the amount of the disallowed costs.

Disallowed costs returned in accordance with paragraph 3. c. must be submitted along with a transmittal letter identifying the LWDA contract number to which the repayment applies, subrecipient name, and subrecipient contract number.

Disallowed costs recovered under paragraph 3. c. will be remitted to the USDOL within 30 days of receipt by the State.

If the LWDA is permitted to retain and reprogram disallowed costs, the LWDA must submit documentation, as required by the State Office, showing that the funds have been properly managed.

SECTION IV
OVERSIGHT AND MONITORING

Under the requirements stated in Sections 184 (a)(4) and 185 (c)(3) of the Act and (**NPRM**) 20 CFR683.400 and (**NPRM**) 20 CFR683.410 of the Federal Regulations, oversight and monitoring activities must be conducted to the extent necessary to ensure compliance with the Act and applicable State, Federal and local laws and regulations regardless of who conducts said oversight and monitoring. Programs shall be monitored in accordance with the requirements of the State Monitoring Plan which shall encompass all of the requirements for oversight and monitoring contained in the WIOA regulations at (**NPRM**) 20 CFR683.410. Additionally, reports resulting from oversight activities shall be accessible for review to authorized State and Federal personnel.

Resolution of findings arising from audits, investigations, monitoring and oversight reviews will follow the procedures contained in the WIOA's Regulations at (**NPRM**) 20 CFR683.420. The Secretary of Labor's resolution process is addressed in the WIOA's Regulations at (**NPRM**) 20 CFR683.430, and the USDOL Grant Officer's resolution process is addressed at (**NPRM**) 20 CFR683.440.

In accordance with Section 184 (a)(4), the Governor shall, every two years, certify to the Secretary that the State has implemented the uniform administrative requirements referred to in Section 184 (a)(3) of the Act; that the State has monitored local areas to ensure compliance with the uniform administrative requirements; and that the State has taken appropriate action to secure compliance pursuant to Section 184 (a)(5) of the Act.

LIABILITY

Pursuant to the WIOA Regulations, (**NPRM**) 20 CFR683.710 (b) and the WIOA grant agreement, the Governor holds the LWDAs responsible for WIOA funds received through the grant and will assign liability for any misexpenditures of grant funds to the LWDAs.

WAIVER OF LIABILITY

A fundamental principle underlying the Act is that the responsibility for the proper use of resources flows with the funds. The Act imposes this responsibility on both the Governor and the LWDAs to ensure the proper expenditure of funds. The Governor may avoid liability for misexpenditures of an LWDA if adequate systems of control are in place over that LWDA. The Act (Section 184 (d)(3)) provides the Secretary of Labor the option to waive the Governor's liability in the event of misexpenditure of funds by an LWDA or LWDA subrecipient or State-funded contractor if the Governor has:

1. Established and adhered to an appropriate system for entering into and monitoring subgrant agreements and contracts with subgrantees and contractors, which contains acceptable standards for ensuring accountability;
2. Entered into a written subgrant agreement or contract with each LWDA, subgrantee, or contractor, which established clear goals and obligations in unambiguous terms;

3. Acted with due diligence to monitor the implementation of the subgrant, agreement or contract, including the carrying out of the appropriate monitoring activities (including audits) at reasonable intervals; and

4. Taken prompt and appropriate corrective action upon becoming aware of any evidence of a violation by an LWDA, subgrantee, or contractor of the Act or its regulations (in accordance with (**NPRM**) 20 CFR683.730 (b)(1)-(5)). This includes aggressive debt collection to recover misspent funds.

The Governor may request from the Secretary of Labor a waiver of liability by demonstrating that the four factors were met. In like manner, in the event of misexpenditure of funds flowing through an LWDA or State-funded contractor, the LWDA or State-funded contractor may request from the Governor a waiver of liability by demonstrating that the above four factors were met. Subrecipients contracting with LWDAs must make their request for waiver through the applicable LWDA. The Governor (as Grant Recipient) and any subrecipient(s) will not be released from liability for misspent funds under the determination required by the Act at Section 184 (d) unless the (USDOL) Grant Officer determines that further collection action, either by the recipient or subrecipient(s), would be inappropriate or would prove futile.

The key to the waiver of liability under the four factors is adequate internal controls. Historically, lack of internal controls has generated audit findings, both programmatic and financial. If proper systems are developed and implemented, there is the likelihood that such findings of questioned costs and subsequent paybacks can be avoided.

In cases where the misexpenditure of funds was due to willful disregard of the requirements of the Act (Section 184 (d)(1)), gross negligence, failure to observe accepted standards of administration, or a pattern of misexpenditure as described in the Act at Section 184 (c)(2) and (3) no waiver will be granted and the repayment must be made in cash from a non-Federal source. It should also be noted that the Secretary may issue an initial and final determination of liability for repayment of misused funds directly to an LWDA or other subrecipient in accordance with the authority of the Act. In such an instance, the Secretary shall inform the Governor of said action.

Any request for a waiver of liability must be based upon the four factors specified above. It must contain all relevant documentation and be provided to the Governor as stipulated in this section of the guidelines.

SECTION V
SANCTIONS

Pursuant to the Act and Regulations, the Governor may impose appropriate sanctions and corrective actions for violations of the Act, Regulations, or grant terms and conditions.

EXCESS CASH

Failure of an LWDA to establish and maintain cash management procedures in accordance with the Cash Management section of these guidelines could result in the Governor imposing one or both of the following sanctions:

1. Require that the LWDA be funded through reimbursement rather than cash advances.
2. Establish a debt against the LWDA for the amount of cash in excess of reasonable grant needs and charging interest on the debt.

GOVERNOR'S DETERMINATION OF SUBSTANTIAL VIOLATION (NPRM) (20 CFR683.720) and WIOA SECTION 184 (b)

When, as a result of financial and compliance audits, or otherwise, the Governor determines that an LWDA has substantially violated a specific provision of the Act or regulations and corrective action has not been taken, the Governor shall impose one or more of the following sanctions:

1. Issue a Notice of Intent to revoke approval of all or part of the LWDA grant agreement and plan. The Governor shall withdraw the notice if appropriate corrective action has been taken.

Or

2. Impose a reorganization plan which may include:

    a. Decertifying the local board involved.
    b. Prohibiting the use of certain providers.
    c. Selecting an alternative entity to administer the program for the LWDA involved.
    d. Merging the LWDA into one or more other LWDAs.
    e. Other such changes as the Secretary or Governor determines necessary to secure compliance (Section 184 (b)(1)(B)(v)).

3. Require an LWDA to repay (from funds reserved for administrative costs of local programs) amounts found not to have been expended in accordance with the Act or regulations (Section 184 (c)(4)). The Governor may offset such amounts to which the LWDA is or may be entitled under the Act unless it is determined that the LWDA should be held liable pursuant to paragraph (4.e.(3)) below.

4. Require the LWDA to repay such amounts, from sources other than federal funds, for those unallowable expenditures where the liability arises from:

    a. Willful disregard of the requirements of Title I of the Act;
    b. Gross negligence;
    c. Failure to observe accepted standards of administration;
    d. A pattern of misexpenditure as described in the Act (Section 184 (c)(2) and (3); or
    e. Incidents of fraud, malfeasance, misapplication of funds or other serious violations as defined in USDOL's Training and Employment Guidance Letter No. 2-12. This includes but is not limited to:

(1) <u>Fraud/Malfeasance</u>

a. Bribery, forgery, extortion, or embezzlement.
b. Theft of participants' checks.
c. Kickbacks from participants or contractors.
d. Intentional payments to a contractor without expectation of receiving services.
e. Payments to ghost enrollees.
f. Misuse of appropriated funds.
g. Misrepresenting information in official reports.

(2) <u>Misapplication of Funds</u>

a. Nepotism.
b. Political patronage.
c. Use of participants for political activities.
d. Ineligible enrollees.
e. Conflict of interest.
f. Failure to report income from Federal funds.
g. Violation of contract/grant procedures.
h. Use of Federal funds for other than specified purposes.

The above applies when there appears to be an intent to misapply funds rather than merely a case of minor mismanagement.

(3) <u>Gross Mismanagement/Other Serious Violations</u>

a. Unauditable records.
b. Unsupported costs.
c. Highly inaccurate fiscal and/or program reports.

d. Payroll discrepancies.
e. Payroll deductions not paid to Internal Revenue Service.
f. Lack of internal control procedures.
g. Illegal acts or irregularities which are required to be reported in accordance with 2 CFR200.516 (a)(6) and Government Auditing Standards paragraph 5.21.

5. Immediately terminate or suspend financial assistance, in whole or in part, if necessary, to ensure the proper operation of the program and ensure the integrity of the funds.

REALLOCATION OF FUNDS (State Policy)

Based on the Act and information received from the USDOL, this policy represents the Governor's position with respect to the reallocation of funds made available under Title I of the WIOA.

This policy deals with involuntary reallocations resulting from a failure to be in compliance with obligation requirements of funds allotted under WIOA Sections 127 and 132 and expenditure of Title I funds within the availability time frame.

1. **Title I Underobligation of Funds**

The Secretary reallots youth, adult and dislocated worker funds among eligible states in accordance with the provisions of WIOA Sections 127 (c) and 132 (c) respectively. To be eligible to receive a reallotment of youth, adult, or dislocated worker funds under the reallotment procedures, a state must have obligated at least 80 percent of the prior program year allotment, less any amount reserved for the costs of administration of youth, adult, or dislocated worker funds. A state's eligibility to receive a reallotment is separately determined for each funding stream (**NPRM**) (20 CFR683.135 (b)).

In regard to within state reallocation due to a local workforce development area's obligations being less than 80 percent for one or more funding streams, the WIOA Regulations (**NPRM**) (20 CFR683.140 (a)) state that the Governor, after consultation with the State Board, may reallocate youth, adult, and dislocated worker funds among local areas within the State in accordance with the provisions of Sections 128 (c) and 133 (c) of the Act. The Governor will not implement a within state reallocation predicated upon obligations unless there is a USDOL reallocation of funds due to the State being below the required 80 percent obligation level on any funding stream.

If there is a reallocation by the USDOL (in which the State loses funds), then the following procedures will be followed. For the youth, adult and dislocated worker programs, the amount to be recaptured from each local area for purposes of reallocation, if any, will be based on the amount by which the prior year's unobligated balance of allocated funds exceeds 20 percent of that year's allocation

for the program year, less any amount reserved (up to 10 percent) for the costs of administration. Unobligated balances will be determined based on allocations adjusted for any allowable transfer(s) between funding streams. This amount to be recaptured, if any, will be separately determined for each funding stream (**NPRM**) (20 CFR683.140 (b)).

To be eligible to receive youth, adult, or dislocated worker funds under the reallocation procedures, a local area must have obligated at least 80 percent of the prior program year's allocation, less any amount reserved (up to 10 percent) for the costs of administration, for youth, adult or dislocated worker activities, as separately determined. A local area's eligibility to receive a reallocation will be separately determined for each funding stream (**NPRM**) (20 CFR683.140 (c)).

The LWDA has one full year to obligate funds. The State Office will make a determination of compliance based upon the WIOA Quarterly Financial Status Reports submitted to the State Office 40 days after the end of the program year for which compliance is being determined. Under obligations in excess of 20 percent will be reallocated in accordance with Section 128 (c)(3) and (4) and Section 133 (c)(3) and (4) of the Act.

2. **Reallocation Procedures Relative to Period of Funds Availability**

Funds allotted to States under WIOA Sections 127 (b) and 132 (b), for any program year are available for expenditure by the state receiving the funds only during that program year and the two succeeding program years. Funds allocated by the state to local workforce development areas under WIOA Sections 128 (b) and 133 (b), for any program year are available for expenditure only during that program year and the succeeding program year. Funds, which are not expended by an LWDA in the two-year period (described above), must be returned to the State. Funds so returned are available for expenditure by the State and LWDAs (which are in compliance with expenditure requirements) only during the third program year of availability. In accordance with (**NPRM**) 20 CFR683.110 (c)(2)(i) and (ii), these funds may be used for statewide projects or distributed to other LWDAs which have fully expended their allocation of funds for the same program year within the two-year period.

Any necessary reallocation of funds will result in a reallocation of the unexpended funds at the end of the two-year period to the LWDA(s) that are in compliance with the expenditure requirement. The funds will be deobligated and reobligated based on an adjusted allocation formula which would exclude the LWDA from which the funds were deobligated. If all LWDAs are out of compliance, the obligations for each LWDA will be reduced by the required amount and the funds reallocated to the State level. The determination of compliance will be based on the WIOA Quarterly Financial Reports, which are submitted at the end of the second year of each LWDA's WIOA Grant Agreement.

SECTION VI
VOLUNTARY REALLOCATIONS

POLICY AND PROCEDURES

The Governor has the authority to arrange for the voluntary reallocation of Title I funds at any time. However, no reallocations may occur prior to the initial allocation of any funds, which are required to be allocated in accordance with a statutory formula or procedure.

In order to arrange for a voluntary reallocation, an agreement would have to be reached between the LWDAs involved in the transfer of funds. The LWDA wishing to voluntarily reallocate funds must find another LWDA(s) to agree to take the funds. Based on this agreement, a modification of each LWDA's WIOA Grant Agreement would have to be modified by the State Office to transfer the funds between the LWDAs.

SECTION VII

STAND-IN COSTS, MATCHING OR COST SHARING

While the WIOA Program has no matching or cost sharing requirements (except for the Incumbent Worker Training Program), such costs may be used (pursuant to USDOL approval) as stand-in costs in case(s) of certain disallowances of WIOA expenditures. To be considered, the state and LWDA shall maintain records with respect to programs and activities carried out under Title I that identify any costs incurred (such as stand-in costs) that are otherwise allowable except for funding limitations (Section 185 (f)(2)).

INCUMBENT WORKER TRAINING PROGRAM (IWTP) COST SHARE REQUIREMENTS

The WIOA Section 134 (a)(3) lists incumbent worker training as one of the "allowable" statewide employment and training activities. The State Incumbent Worker Training Policy has always required a matching or cost sharing of the total costs for each incumbent worker training project. The employer's share (requirement) has been a dollar-for-dollar match for the Federal share of the projected cost of the training program. The employer's share of an incumbent worker training project costs may include the wages and benefits, of employees (while in training), trainer travel costs, etc. The state policy will remain at this level.

Per the WIOA Section 134 (c)(3)(D)(iii), local workforce development areas may provide incumbent worker training in accordance with 134 (d)(4). Section 134 (d)(4)(C) requires a "non-Federal Share" that is the responsibility of the employer. The "non-Federal Share" is required to be established by the local board per 134 (d)(4)(D). The Act (Section 134 (d)(4)(D)(ii) addresses the minimum limits for the "non-Federal Share," which are:

- 10 percent of the cost for employers with not more than 50 employees;
- 25 percent of the cost for employers with more than 50 employees, but not more than 100 employees; and
- 50 percent of the cost for employers with more than 100 employees.

The calculation of the "employer share" is addressed at Section 134 (d)(4)(D)(iii). The employer "non-Federal Share" may include the wages paid by the employer to a worker while the worker is attending a training program. The employer may provide the share in cash or in-kind, fairly evaluated per the Act (134 (d)(4)(D)(iii).

BASIC RULE: COSTS AND CONTRIBUTIONS ACCEPTABLE (as Stand-in Costs, Matching or Cost Sharing)

With the qualifications and exceptions listed below in this section, matching or cost sharing may be satisfied by either or both of the following:

1. Allowable costs incurred by the grantee, subgrantee or a cost-type contractor under the assistance agreement. This includes allowable costs

borne by non-Federal grants or by other cash donations from non-Federal third parties.

2. The value of third party in-kind contributions applicable to the period to which cost sharing or matching applies.
3. Matching costs must meet the same criteria in regard to allowability, distribution to cost categories, etc. as the WIOA funds for which they are used to match. Matching costs must be reported on the WIOA Quarterly Status Report or Contractor's Expenditure Report as appropriate and related backup forms. In addition to the guidance set forth in 2 CFR200.306 (b), for Federal awards from the Department of Labor, the non-Federal entity accounts for funds used for cost sharing or match within their accounting systems as the funds are expended (2 CFR2900.8).

QUALIFICATIONS AND EXCEPTIONS

1. Costs borne by other Federal grant agreements. Except as provided by Federal statute, cost sharing or matching may not be met by costs borne by another Federal grant. This prohibition does not apply to income earned by a grantee or subgrantee from a contract awarded under another Federal grant.
2. Cost or contributions counted towards other Federal cost-sharing requirements. Neither costs nor the values of third party in-kind contributions may count towards satisfying cost sharing or matching of a grant agreement if they have been or will be counted towards satisfying a cost sharing or matching requirement of another Federal grant agreement, a Federal procurement contract, or any other award of Federal funds. (2 CFR200.403 (f)).
3. Costs financed by program income. Costs financed by program income shall not count towards satisfying a cost sharing or matching requirement unless they are expressly permitted in the terms of the WIOA grant agreement. The official policy regarding program income is presented in Section II, Program Income, of this manual.
4. Services or property financed by income earned by subrecipients. Subrecipients under a grant may earn income from the activities carried out under the WIOA agreement in addition to the amounts earned from the party awarding the WIOA grant agreement. No costs of services or property supported by this income may count toward satisfying cost sharing or matching unless other provisions of the WIOA grant agreement expressly permit this kind of income to be used for cost sharing or matching.
5. Records. Costs and third party in-kind contributions counting towards satisfying cost sharing or matching <u>must be verifiable from the records of grantees and subgrantees or cost-type contractors</u>. These records must show how the value placed on third party in-kind contributions was derived.

To the extent feasible, volunteer services will be supported by the same methods that the organization uses to support the allowability of regular personnel costs.

6. Special standards for third party in-kind contributions.

    i. Third party in-kind contributions count towards satisfying cost sharing or matching only where, if the party receiving the contributions were to pay for them, the payments would be allowable costs.
    ii. Some third party in-kind contributions are goods and services that, if the grantee, subgrantee, or contractor receiving the contribution had to pay for them, the payments would have been an indirect cost. Cost sharing or matching credit for such contributions shall be given only if the grantee, subgrantee, or contractor has established, along with its regular indirect cost rate, a special rate for allocating to individual projects or programs the value of the contributions.
    iii. A third party in-kind contribution to a fixed price contract may count towards satisfying cost sharing or matching only if it results in:
        a. An increase in the services or property provided under the contract (without additional cost to the grantee or subgrantee); or
        b. A cost savings to the grantee or subgrantee.

    iv. The values placed on third party in-kind contributions for cost sharing or matching purposes will conform to the rules in the succeeding sections of this part. If a third party in-kind contribution is a type not treated in those sections, the value placed upon it shall be fair and reasonable.

VALUATION OF DONATED SERVICES

1. Volunteer services. Unpaid services provided to a grantee, subgrantee or a subrecipient by individuals will be valued at rates consistent with those ordinarily paid for similar work in the grantee's or subgrantee's organization. If the grantee or subgrantee does not have employees performing similar work, the rates will be consistent with those ordinarily paid by other employers for similar work in the same labor market. In either case, a reasonable amount for fringe benefits may be included in the valuation.

2. Employees of other organizations. When an employer other than a grantee, subgrantee, or cost-type contractor furnishes free of charge the services of an employee in the employee's normal line of work, the services will be

valued at the employee's regular rate of pay exclusive of the employee's fringe benefits and overhead costs. If the services are in a different line of work, paragraph (1) of this sections applies.

VALUATION OF THIRD PARTY DONATED SUPPLIES AND LOANED EQUIPMENT OR SPACE

1. If a third party donates supplies, the contribution will be valued at the market value of the supplies at the time of donation.

2. If a third party donates the use of equipment or space in a building but retains title, the contribution will be valued at the fair rental rate of the equipment or space.

VALUATION OF THIRD PARTY DONATED EQUIPMENT, BUILDINGS, AND LAND

If a third party donates equipment, buildings, or land, and title passes to a grantee or subgrantee, the treatment of the donated property will depend upon the purpose of the grant or subgrant, as follows:

1. Awards for capital expenditures. If the purpose of the grant or subgrant is to assist the grantee or subgrantee in the acquisition of property, the market value of that property at the time of donation may be counted as cost sharing or matching.
2. Other awards. If assisting in the acquisition of property is not the purpose of the grant or subgrant, paragraphs (2) (i) and (ii) of this section apply:

    i. If approval is obtained from the Grantor, the market value at the time of donation of the donated equipment or buildings and the fair rental rate of the donated land may be counted as cost sharing or matching. In the case of a subgrant, the terms of the grant agreement may require that the approval be obtained from the Federal agency as well as the grantee. In all cases, the approval may be given only if a purchase of the equipment or rental of the land would be approved as an allowable direct cost. If any part of the donated property was acquired with Federal funds, only the non-federal share of the property may be counted as cost-sharing or matching.

    ii. If approval is not obtained under paragraph (2) (i) of this section, no amount may be counted for donated land; and only depreciation may be counted for donated equipment and buildings. The depreciation allowance for this property is not treated as third party in-kind contributions. Instead, they are treated as costs incurred by

the grantee or subgrantee. They are computed and allocated (usually as indirect costs) in accordance with the cost principles (specified in 2 CFR Subpart E) in the same way as depreciation for purchased equipment and buildings. The amount of depreciation for donated equipment and buildings is based on the property's market value at the time it was donated.

VALUATION OF GRANTEE, SUBGRANTEE, OR SUBRECIPIENT DONATED REAL PROPERTY FOR CONSTRUCTION / ACQUISITION

If a grantee, subgrantee, or subrecipient donates real property for a construction or facilities acquisition project, the current market value of that property may be counted as cost sharing or matching. If any part of the donated property was acquired with Federal funds, only the non-federal share of the property may be counted as cost sharing or matching.

APPRAISAL OF REAL PROPERTY

In some cases **(as discussed in Valuation of Third Party Donated Supplies and Loaned Equipment or Space, Valuation of Third Party Donated Equipment, Buildings, and Land, and Valuation of Grantee, Subgrantee, or Subrecipient Donated Real Property for Construction/Acquisition),** it will be necessary to establish the market value of land or a building or the fair rental rate of land or of space in a building. In these cases, the Federal agency may require the market value or fair rental value be set by an independent appraiser, and that the value or rate be certified by the grantee. This requirement will also be imposed by the grantee or subgrantees.

Should it be determined that the matching cost values submitted by the LWDA exceed the actual cost incurred, or if the LWDA's documentation does not substantiate all or any part of said cost values, the deficiency will be adjusted by increasing the matching costs to the required level, by a corresponding reduction of the WIOA grant amount, or by the LWDA's refund to the Governor in non-WIOA dollars in the amount of the deficiency.

APPRAISAL OF EQUIPMENT

In some cases **(as discussed in Valuation of Third Party Donated Supplies and Loaned Equipment or Space, Valuation of Third Party Donated Equipment, Buildings, and Land, and Valuation of Grantee, Subgrantee, or Subrecipient Donated Real Property for Construction/Acquisition),** it may be necessary to establish the market value of equipment. In these cases, the market value should be determined by an independent appraiser knowledgeable in the particular equipment to be appraised. An example of an independent appraisal may include,

but is not limited to, appraisals by a dealer in the type of equipment being appraised**.** For automobiles, trucks, vans, etc., the "Blue Book" value may be used for the market value. Documentation to support the appraisal should be maintained as part of the accounting records.

Should it be determined that the matching cost values submitted by the LWDA exceed the actual cost incurred, or if the LWDA's documentation does not substantiate all or any part of said cost values, the deficiency will be adjusted by increasing the matching costs to the required level, by a corresponding reduction of the WIOA grant amount, or by the LWDA's refund to the Governor in non-WIOA dollars in the amount of the deficiency.

SECTION VIII
STATE SUBRECIPIENT REQUIREMENTS (STATE POLICY)

ADMINISTRATIVE STANDARDS

1. **Cash Depositories**

Cash advances or reimbursements to LWDAs, state agencies, and other state subrecipients (contractors) will not be made until properly authenticated WIOA Status of Funds Report and Cash Request Forms (WDD-32) have been received (Exhibit D). All other recipients will submit a properly authenticated Subrecipient's Invoice Report (WDD-9, Exhibit F). The Grantor shall process advances and reimbursements based on Authorized Signature Cards (Form WDD 6, Exhibit C) four copies of which are to be completed, each with original signature(s) of the individual(s) authorized to request cash and sign reports in connection with WIOA funds. An official of the subrecipient must certify the validity of the signature(s) appearing on the signature cards. A separate bank account is not required; however, WIOA funds must be identified by a system, which provides clear audit trails. Interest income accrued on WIOA fund deposits must be tracked and reported by the fund source and agreement from which it accrued. These funds are considered to be "public monies," and must be deposited in a bank with Federal Deposit Insurance Corporation (FDIC) insurance coverage or a savings and loan institution with National Credit Union Association (NCUA) insurance coverage. The balance of funds in excess of FDIC or NCUA coverage must be collaterally secured.

2. **Bonding and Insurance**

a. The Subrecipient must ensure that every officer, director, agent or employee who is authorized to act on behalf of the subrecipient in receiving or depositing WIOA funds or in issuing financial documents, checks, or other forms of payment be bonded to provide protection against loss. The amount of this coverage must be equal to the highest advance for the present year or $l00,000.00, whichever is less. If the bond is canceled or reduced, the subrecipient should immediately notify the Grantor. Coverage need not exceed $l00.000.00. See also 2 CFR200.304, Bonds, for additional requirements.

A WIOA Bonding Assurance Certificate (Form WDD 6, Reverse Side-Exhibit E) must be on file with the Grantor before funds will be released to the subrecipient. Only subrecipients who will require advance WIOA funds need to complete the Bonding Assurance form. Four originals of this form must be completed, and three returned to the Workforce Development Division and one kept by the subrecipient.

b. Neither the USDOL (the Grantor's source of Federal funding) nor the Grantor will assume any liability for bodily injury, illness, or damages arising from claims from activity undertaken under a WIOA agreement. The subrecipient is advised to ensure protection with regard to these activities at the subrecipient's own expense.

FINANCIAL MANAGEMENT STANDARDS

Each subrecipient must establish and maintain a financial management system in accordance with generally accepted accounting principles (GAAP) requirements and 2 CFR200.302, which will provide for adequate control of funds and other assets, ensure the accuracy of the financial data, provide for operational efficiency and for internal controls to avoid conflict of interest situations (and avoid the appearance of apparent conflicts of interest) and to prevent irregular transactions or activities. The required records and reports shall be uniform in definition, accessible to authorized Federal and State staff, and verifiable for monitoring, reporting, audit, program management, and evaluation purposes per Section 185 (a)(1) and (2). The subrecipient's financial management systems must meet the following standards, some of which are explained in greater detail later in this section of the manual:

1. <u>Essential Financial System Requirements:</u>

   a. Each subrecipient must have a financial management system and procedures that are in accordance with GAAP.
   b. The systems shall include information pertaining to WIOA awards, assets, expenditures, obligations, unobligated balances and income generated through interest income from WIOA deposits and/or program income generated through WIOA training activities.
   c. The system shall provide effective internal controls to safeguard assets and to assure their proper use.
   d. The system shall utilize a comparison of actual expenditures with budgeted amounts for each contract. This will be continually updated.
   e. Source documentation to support accounting records.
   f. Costs must be properly charged in regard to cost categories and cost allocation based upon benefits received.
   g. The system must be sufficient to permit preparation of required reports.
   h. Permit the tracing of funds to a level of expenditure adequate to establish that funds have not been used in violation of the applicable restrictions on the use of funds.
   i. As required by Section 185 (f) of the Act, permit the tracing of program income, potential stand-in costs and other funds that are allowable except for funding limitations.

2. Advance/Reimbursements

The subrecipient must establish procedures to minimize the time elapsing between receipt of funds and the actual disbursement of funds. A minimum cash balance should be kept on hand at all times and only an amount needed to meet immediate projected disbursements should be requested (2 CFR200 (b)(1)). Except instances which require reimbursement and working capital advance payments, each recipient and subrecipient shall be paid in advance, provided it demonstrates the willingness and ability to limit advanced funds to the actual immediate disbursement needs in carrying out the WIOA program. Any advance of Federal funds drawndown by either advance or a working capital advance and not disbursed within thirty (30) days from the date of the advance must be refunded to ADECA (State (ADECA) Policy). Per 2 CFR2900.7, in addition to the guidance set forth in 2 CFR200.305 (b)(2), for Federal awards from the U.S. Department of Labor, the non-Federal entity should liquidate existing advances before it requests additional advances.

In accordance with 2 CFR200.305 (b)(4), working capital advance payments may be made subject to the following requirements:

If a grantee cannot meet the criteria for advance payments and the awarding agency has determined that reimbursement is not feasible because the grantee lacks sufficient working capital, the awarding agency may provide cash on a working capital advance basis. Under this procedure, the awarding agency shall advance cash to the grantee to cover its estimated disbursement needs for an initial period generally geared to the grantee's disbursing cycle. Thereafter, the awarding agency shall reimburse the grantee for its actual cash disbursements.

3. Records

The subrecipient must maintain records which identify adequately the source and application of WIOA funds.

4. Control of Assets

The subrecipient must maintain effective control over and account for project funds, property, and other assets. Included in the "other assets" are inventories of consumable materials and supplies. The subrecipient must safeguard these assets and ensure that they are used solely for authorized purposes.

5. Allowable Costs

To be allowable, the cost must be necessary and reasonable for proper and efficient administration of the WIOA program. It must be an allowable cost

pursuant to 2 CFR200.403 and must not be a general expense to carry out the overall responsibilities of the contractor. Only those items of expenditures or cost categories as denoted on or within the signed WIOA grant agreement or contract are allowable. Where cost allocations are necessary, such allocations should be made in accordance with applicable cost principles as listed in 2 CFR200, Subpart E and the terms of the WIOA grant agreement. A subrecipient's costs are not to be allocated based on availability of funds in the budget, but instead, must be allocated based on benefits received or effort given to the program.

These standards will apply regardless of whether a particular item of cost is treated as direct or indirect cost. Direct and indirect costs shall be charged in accordance with the criteria identified in 2 CFR200, Subpart E. Failure to mention a particular item of cost in the standards is not intended to imply that it is either allowable or unallowable, rather determination of allowability in each case should be based on the treatment of standards provided for similar or related items of cost.

6. Source Documentation

The subrecipient must support accounting records with source documentation such as canceled checks, itemized invoices, payroll records, paid bills, cost allocation plans, lease agreements or subcontracts. When costs are to be allocated, a worksheet must be maintained to document the proration of costs to various cost centers in accordance with the cost allocation plan and kept on file for audit purposes. Accounting records for matching funds or stand-in costs must be supported in the same manner as stated above.

7. Travel Regulations

All reimbursements for travel will be made with the travel regulations of the State as a guide. A waiver to allow subrecipients to use their own written policy may be granted on a case-by-case basis. Travel reimbursement amounts allowed by the Grantor may be less than those provided by these guidelines if the subrecipient's current established policy so states, but in no instance may they exceed the State limitations. A sample in-state travel reimbursement form is provided as a guide (see Exhibit H). This form or a similar form should be used when requesting travel reimbursement. The following are the State travel regulations.

a. In-State Travel

1. For travel involving less than 6 hours, no meal allowance or per diem is allowed.

2. For travel of 6 hours to 12 hours, there is an allowance of $11.25 for one meal, provided the travel is performed outside the city limits of the official base or station (traveler's business address location) or home if closer to destination.

3. For travel requiring more than 12 hours to a destination outside the city limits of the official base or station, a $30.00 allowance is allowed when the trip does not involve an overnight stay.

4. Overnight per diem will be set at the following rate: $75.00 per day.

   If the normal rate of the subrecipient is less than the above-stated per day rates and the WIOA agreement states a lesser rate, the lesser rate approved shall be used.

   The term overnight, as used in Code of Alabama 1975, §36-7-20, as amended, means exactly what the word implies. The common law meaning of night usually means the period between sunset and sunrise. Another rule often applied is that night is defined as beginning thirty minutes after sunset and ending thirty minutes before sunrise. Individuals whose work hours are during the night period are in work status and are not entitled to overnight per diem. Employees within reasonable travel distance from their base are expected to return to base. For travel purposes, a traveler's base is a city or town. Individual circumstance will determine what is reasonable but, generally, a trip of 100 miles or less one-way does not require an overnight stay. Exceptions to the policy may be approved by the appropriate supervisor or division chief.

5. The per diem is $56.25 (75% of daily rate) for each day after a person in travel status has been stationed at the same place for two consecutive months.

6. Under no circumstances will a traveler be paid an overnight or daily travel allowance at their base or primary residence.

7. The mileage rate is the amount allowed by the Internal Revenue Code for income tax deductions. As of January 1, 2016, the rate allowed by the Internal Revenue Code for business mileage is 54.0 cents per mile. The traveler is entitled to a mileage allowance from their base to their *

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destination and return for miles actually traveled or from home to destination and return, whichever is less. Mileage is to be reported in whole miles, rounded to the nearest whole number. All mileage on the in-state travel form must be totaled and then multiplied by mileage rate to determine the reimbursement amount. Travelers will be reimbursed for parking while in travel status if a receipt is provided. Valet parking will only be reimbursed if no other parking is available. Documentation is required. If the normal rate of a contractor is less than the allowable mileage rate and the contract states a lesser rate, the lesser approved rate shall be used.

8. Claims for travel expense must be documented by reports containing the destination, date and time of departure and return, and a computation of the amount of reimbursement. The reports must be signed and dated by both the traveler and the person authorizing the travel. Copies of the travel reports must accompany the invoices under which the travel expense is claimed.

9. If the person's travel is interrupted for personal convenience, the travel allowance will not exceed the costs that would have been paid for authorized uninterrupted travel.

b. Out-of-State

Prior written approval from the Grantor is required for all out-of-state travel. Such approval must be requested by the subrecipient at least 10 days prior to the planned travel, by contacting the appropriate WIOA agreement manager. Out-of-state travel expenses for room and meals shall be reimbursed at actual costs, when such costs reflect reasonable rates. Room accommodations should be in the employee's own name (single rate only) and any charges for missed reservations shall be considered a personal expense. Air travel is economy seating. No first class or business class unless documentation is submitted that rate is equal to or less than economy. A sample out-of state travel reimbursement form is provided as a guide (see Exhibit I). This form or a similar form should be used when requesting out-of-state travel reimbursement.

Receipts are required to be submitted with travel reimbursement claims to be maintained as support documentation for the Subrecipient's Invoice Report for all transportation, meal, and hotel/motel lodging charges. These receipts must be from the establishment/transportation company. Copies of credit charges cannot be accepted as support documentation. The amounts paid as

tips for food service, the transfer of baggage, and similar personal services shall be included as items of expense by the traveler, when the amounts of such expenditures do not exceed the customary charges for these services. The cost of tips paid for meals shall be included in the price of meals. The cost of tips paid for the transfer of baggage must be itemized as to amounts and dates paid. Receipts are required for substantiation of parking costs. For mileage, the same procedure established for in-state travel applies. It should be emphasized that no entertainment costs will be allowed in connection with out-of-state travel.

Rental cars must be specifically pre-approved by the granting agency.

If reimbursement for conference registration is requested, a detailed agenda must be provided to itemize meals included as a part of conference fee. Conference provided meals should not be claimed for reimbursement.

Meals (including tips) are limited to a single per day meal cap based on geographic location. This meal cap is based on the U.S. General Services Administration published daily meal rates total (excluding incidental expenses) for each city/state found at http://www.gsa.gov/portal/category/104711; use the Per Diem/M & IE Meals tab. Rates are published each fiscal year effective October 1.

Travelers will be allowed to purchase meals as they see fit throughout the day. The actual amount expended including tips should be reported for each meal. Tips are currently limited to 20%.

All travel expenses must be necessary, reasonable, and justified in the amount incurred and requested for reimbursement. Travel only when absolutely necessary; use the most economical and efficient means of transportation, and plan and coordinate all travel for effectiveness and efficiency.

Reasonable meal costs for each day of out-of-state travel will be based on the amount of time the traveler is away from their base on each day of travel. The reasonable cost of three meals will be allowed for each day the traveler is away from the base more than eighteen hours, two meals for each day the traveler is away from their base more than twelve hours and one meal for each day the traveler is away from their base more than six hours.

c. Combined In-State and Out-of-State Travel

At times a traveler may go out of the state and then return and continue his trip within the state. Actual expenses are paid until return to the state when the per diem basis takes over. Duplication of actual and per diem for the same day is not allowed; actual costs not allowed if in-state per diem is paid.

8. Agreement Modifications

All subrecipients will follow the process as outlined below for requesting agreement modifications.

a. The subrecipient will submit a written request for modification prior to changing any budget line item or participant service level contained in the agreement. The written request and associated reason for the modification should accompany the modification.

b. All modifications initiated by the subrecipient will be mutually agreed upon by the parties to the agreement.

c. The Grantor may make a unilateral modification to the agreement at any time due to changes in the law, regulations, or policy.

9. Reporting

a. Each subrecipient receiving funds is required to report monthly on Form WDD-9, Subrecipient's Invoice (see Exhibit F), the costs incurred or expenditures made in performance of the agreement. This form must be submitted in duplicate with all containing original signatures in blue ink. Instructions are on the back of the WDD-9. Signatures must match those on the signature card. Monthly reports will be made on the Form WDD 10A and l0B (Invoice Summary) (see Exhibits G-1 and G-2) for the line items contained in the approved budget for the agreement and in total for the subrecipient's contribution. Forms WDD l0A and l0B must be submitted in support of the amounts shown on Form WDD-9, with the exception of those amounts related to OJT program activity. Space for expenditure backup information is provided on the back of these forms. All reports will be prepared from the official accounting records of the reporting organization. The reporting period on the first Subrecipient's Invoice should reflect the beginning date of the agreement through the end of the particular period covered. Reports containing errors, white out and/or pencil changes may have to be re-submitted.

b. Monthly Subrecipient's Invoices will be submitted no later than the 10th working day of the month following the month of the reporting period.

c. The final Subrecipient's Invoice submitted for an agreement must be received no later than the last day of the month following the agreement ending date. A check for any outstanding portion of an advance received, or other funds received to include program income for which there have not been expenditures reported, must accompany the final expenditure report.

Any advance of Federal funds drawndown by either advance or a working capital advance and not disbursed within thirty (30) days from the date of the advance must be refunded to ADECA (State (ADECA)Policy).

d. The subrecipient must report expenditures on an accrual basis. If the subrecipient's records are not maintained on an accrual basis, documentation for audit purposes must be maintained to demonstrate the link between accrual reports and non-accrual accounts. This requirement does not apply to subrecipients on a reimbursement basis. Conversion from the cash basis of accounting to an accrued expenditures basis for a reporting period may be accomplished by adding:

1. Estimated salaries and related benefits from the end of the last pay period to the end of the reporting period.

2. Unpaid invoices on hand for goods and services received.

3. Value of goods and services received but not yet invoiced. After the above items are added to the actual expenditures made during the reporting period, the expenditures accrued similarly for the prior reporting period are deducted, thus completing the conversion from the cash basis to an accrual basis of reporting.

e. Each month program income earned (this includes interest income) (See Section II, Program Income, for more information) must be deducted from Estimated Expenditures Next Month (monthly advances) to determine a net Estimated Expenditures Next Month for each Subrecipient's Expenditure Report submitted. Each subrecipient

shall disburse program income, rebates, refunds, contract settlements, audit recoveries, and interest earned on such funds before requesting additional cash payments (20 CFR667.200(a)(5) and (6)).

COST ALLOCATION

Costs are allocable to a particular cost category to the extent that benefits are received by such category. Indirect costs are those incurred for a common or joint purpose benefiting more than one cost objective, and not readily assignable to the cost objective benefited. Cost allocation plans, including indirect cost rate proposals, shall be developed and approved in accordance with applicable cost principles as set forth in 2 CFR200, Subpart E, which governs how to charge direct and indirect costs. It also governs the process for allocation of direct and indirect costs. Whenever costs jointly serve one or more sources of funds (Youth, Adult, and/or Dislocated Workers) and WIOA is the only source of funding, a cost allocation plan must be developed to allocate those costs among the fund sources if these are shared services. These plans are to be used, made available and retained for future audits and reviews. Where there are multiple sources of fundings, such as other Federal, State and locally funded programs simultaneously operated by the contractor's organization, a cost allocation plan is necessary if there are shared services. This cost allocation plan must equitably (benefits received basis) allocate costs among the programs (and within the WIOA program, among the various funding sources). Allocation of costs must be consistent with the written cost allocation plan. Any amendments of the cost allocation plan must be retroactive to the beginning of the plan year.

However, in accordance with the Act (Section 184 (a)(2)(B)), funds made available to a state for administration of statewide workforce investment activities in accordance with Section 134 (a)(3)(B) shall be allocable to the overall administration of workforce investment activities, but need not be specifically allocable to the administration of adult employment and training activities; the administration of dislocated worker employment and training activities; or the administration of youth activities.

INDIRECT COST RATES

As previously defined, the term "indirect cost" is the process of charging cost(s) of the subrecipient, which is a common expense of two or more agreements or its general operations. Prior to the approval of an indirect cost rate, the organization must provide evidence that the amount it proposes to charge is proper. The evidence is a cost rate approved by a cognizant (or lead) Federal Agency. The official who approves the rate must see evidence and support as necessary to ensure that there is no overpayment. Requirements for the development and submission of

indirect (F&A) cost rate proposals and cost allocation plans are contained in Appendices III-VII to Part 200 of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; Final Rule.

Pursuant to 2 CFR200.414(f), any non-Federal entity that has never received a negotiated indirect cost rate, except States and local governments, and Indian Tribe Indirect Cost Proposals may elect to charge a "de minimis" rate of ten percent (10%) of modified total direct costs (MTDC), which may be used indefinitely.

1. The Federal Cognizant Agency

   When an organization receives funds from several sources, the Federal agency granting the largest amount of funds acts as the representative of all of the agencies or, the cognizant agency. Once the applicable cognizant agency approves an organization's indirect cost rate on behalf of the other Federal agencies, it is to be accepted as a ceiling rate.

2. The Grantor as Rate Negotiator

   Officials of the Grantor as applicable will request evidence to support the proposed indirect cost rate, and after careful attention, negotiate the rate with the proposing organization. Once an agreement is reached, the rate will be used in the proposed budget and agreement. Audits of the indirect cost rate will require source documentation to support the expenditures of indirect costs.

   The audit process will be to:

   1. Verify the allowability of costs charged as indirect costs.

   2. Verify the source documentation to ensure that the costs were incurred.

EXPENDITURE DOCUMENTATION

In submitting the monthly Subrecipient's Invoice, the subrecipient is required to also submit physical documentation of expenditures in the form of copies of time and attendance reports, itemized vendor invoices, statements covering contractual services, lease agreements, subrecipient's travel policy, records in support of travel expense claimed, logs or other certification of long distance telephone calls, and postage, etc. The failure to submit proper support documentation with the Subrecipient's Invoice will result in the delay of reimbursement to the subrecipient. Cost items common to all of the cost categories under WIOA are salaries and fringe benefits. Following are procedures required to ensure that these costs are properly documented:

1. Time and Attendance Records (see Form WDD 12, Exhibit J). These records must be maintained for each payroll period for each individual. These or equivalent records must support the total compensation paid, and in the event the individual contributes time to a project other than the WIOA program, accurate time distribution records must designate the actual time contributed to the WIOA program. For example, if such an individual performs forty hours of service within a week, of which thirty-one hours are not related to any program and the remaining nine hours apply to three different programs being administered by the contractor, including its WIOA project, it is required that proper time and attendance records be maintained in support of the total 40 hours, and that time distribution records clearly verify the number of hours contributed to the WIOA program. All time and attendance records must be certified by the signature of a person in a supervisory capacity after the employee has signed the form.

   Employee earning records must be maintained for each individual and contain accumulative amounts by a pay period for the gross salary, payroll deductions and net pay. Payroll tax reports must also support the amounts shown on the payroll records.

2. Fringe Benefits. Allowable fringe benefit costs include, but are not limited to, the following: that portion of the individual's FICA taxes paid by the employer, medical insurance coverage, unemployment insurance and worker's compensation. Costs claimed for fringe benefits must be supported by such cost documentation as payroll records, payroll tax reports, insurance policies and payment schedules, vendor's invoices, etc.

3. Classroom Time and Attendance Records. Documentation to support classroom time and attendance for all WIOA participants must be maintained.

For further information contact:

Prior to 10/01/15
Alabama Department of Economic and Community Affairs
Workforce Development Division
401 Adams Avenue/Post Office Box 5690
Montgomery, Alabama 36103-5690
(334) 242-5300

As of 10/01/15
Alabama Department of Commerce
Workforce Development Division
401 Adams Avenue/Post Office Box 304106
Montgomery, Alabama 36130-4106
(334) 242-5300

EXHIBITS

Exhibit A

Requesting Entity	
Fund Source	
Date of Request	

Request for Approval of Equipment Purchase of $5,000.00 or More

1. **Description of Equipment: (Include quantity, price, etc.)**

2. **Justification of Need:**

3. **Certification: I hereby certify that the item(s) of equipment requested is/are necessary for effective training in the WIOA program and is/are not available from existing inventory. The purchase of the above item(s) will be made in strict compliance with the State Bid Law, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 CFR200.317-325, and effective WIOA regulations. This equipment will be used in support of WIOA activities and will be managed in compliance with Property Management Standards, Uniform Administrative Requirements, Cost Principles, and Audit Requirements at 2 CFR Section 200.313. Equipment and the latest version of the ADECA Property Management Manual Standard Operating Procedures.**

   _____ _____

   Certifying Official's Signature Date

4. **WDD Property Manager Recommendation. Having reviewed the inventory of equipment, I have ascertained that the requested equipment is/is not available for use currently. I recommend _____ approval _____ disapproval of this request.**

   _____ _____

   WDD Property Manager Signature Date

5. **Workforce Development Division: This request is:**

   _____ Approved _____ Disapproved

   Remarks:

   _____ _____

   Workforce Development Division Date

Exhibit B

ALABAMA DEPARTMENT OF ECONOMIC AND COMMUNITY AFFAIRS
PROPERTY MANAGEMENT UNIT
REPORT OF SURVEY

1. **ADECA Division/Grantee/ Contractor or LWDA** _____

2. **Address** _____

_____

3. **Property Custodian** _____

4. **Telephone Number** _____

5. **Fund No. / Agreement No.** _____

6. Description	7. Acquistion Cost	8. ADECA Property No.	9. Reason (Describe on additional page as necessary)

10. **ADECA Division/Grantee Contractor or LWIA Official** _____ Date _____

<u>To Be Completed by State Office Personnel:</u>

11. **Division Chief Approval** _____ Date _____

12. **Property Manager Acknowledgment** _____ Date _____

13. **Director's Approval** _____ Date _____

14. **Comments** _____

ADECA Report of Survey

Purpose:

This form is used by ADECA Divisions, contractors, or WIOA Local Areas, to notify the ADECA PMU that property is lost, stolen, or destroyed.

Instructions for Completion:

1. **ADECA Division/Grantee/Contractor or LWDA** - Enter the name of the ADECA Division, contractor, or Local Workforce Development Area (LWDA) completing the Report of Survey for property lost, stolen, or destroyed.

2. **Address** - Enter the current address of agency completing the report.

3. **Property Custodian** - Enter the name of the Property Custodian responsible for property and knowledge of the current situation.

4. **Telephone Number** - Enter telephone number of Property Custodian.

5. **Fund Number/Grant/Contract No.(s)** - Enter the Fund Number/grant/contract number used to purchase the property.

6. **Description** - Provide a complete description of the property being reported to include model number and serial number, as applicable. (use additional pages if necessary)

7. **Unit Acquisition Cost** - Enter the price paid for the property upon purchase.

8. **Property No.** - Enter the inventory control number(s) (ADECA PMU assigned number and/or other identifying numbers).

9. **Reason** - Enter the reason for the notification, i.e., lost, stolen (accompanied by Police Report), fire (accompanied by Fire Marshal's Report).

10. **ADECA Division/Grantee/Contractor or LWDA Official's Signature** - Enter the appropriate signature and the date signed.

11. **Division Chief Approval** - Enter the signature of the Division Chief and the date signed. Note: If not approved, so noted by Division Chief with reason stated in comments (Item 14).

12. **Property Manager Acknowledgment** - ADECA Property Manager signs here and dates.

13. **Director's Approval (Code 1 Property Only)** - Enter the signature of the Director and date signed. Note: If not approved, may be noted by Director with reason stated in comments (Item 14).

14. **Comments** - Enter any comments as applicable.

Exhibit C

WDD-6 AL 07/15

AUTHORIZED SIGNATURE CARD
FOR SUBRECIPIENT'S EXPENDITURE REPORTS
AND REQUESTS FOR CASH ADVANCE
(Please Complete Front AND Back)

Agreement No: _____

Name of Subrecipient:	Address:
Signatures of Individuals Authorized to Sign Reports and Requests	☐ Only One Signature Authorized or ☐ Either One of Two Signatures Authorized
Typed or Printed Name of Authorized Signature	Signature
Typed or Printed Name of Authorized Signature	Signature

I CERTIFY THAT the signatures appearing above are of the Individual(s) authorized to request cash and sign reports in connection with WDD Funds.

_____
Date

_____
Signature of Authorizing Official

_____
Title

EXHIBIT D

WIOA - STATUS OF FUNDS AND CASH REQUEST FORM

GRANT NO. _____

1. DOCUMENT NUMBER	2a. DATE	2b. FUNDING YEAR

3. GRANTOR AGENCY NAME AND ADDRESS	4. SUBRECIPIENT NAME AND ADDRESS
ADECA - Workforce Development Division Post Office Box 5690 401 Adams Avenue Montgomery, Alabama 36103-5690	

5. STATUS OF FUNDS	AMOUNTS
A. ADVANCES RECEIVED, CUMULATIVE GRANT TO DATE	0.00
B. LESS: ACTUAL DISBURSEMENTS, CUMULATIVE GRANT TO DATE	0.00
C. WIOA FUNDS ON HAND AT TIME OF THIS REQUEST	0.00
D. PROGRAM INCOME ON HAND	0.00
E. TOTAL CASH ON HAND	0.00
F. AMOUNT OF THIS REQUEST FOR PAYMENT	0.00
G. UNPAID REQUEST FOR PAYMENT PREVIOUSLY SUBMITTED	0.00
H. TOTALS	$0.00

6. CASH REQUEST WIA FUNDING STREAM:	ADMINISTRATION	PROGRAM	TOTALS
A. ADULT FUNDS	0.00	0.00	0.00
B. ADULT FUNDS TRANSFERRED FROM DISLOCATED WORKER	0.00	0.00	0.00
C. DISLOCATED WORKER FUNDS	0.00	0.00	0.00
D. DISLOCATED WORKER FUNDS TRANSFERRED FROM ADULT	0.00	0.00	0.00
E. YOUTH FUNDS	0.00	0.00	0.00
F. ADULT SW 15% INCENTIVE FUNDS	0.00	0.00	0.00
G. DW SW 15% INCENTIVE FUNDS	0.00	0.00	0.00
H. YOUTH SW 15% INCENTIVE FUNDS	0.00	0.00	0.00
I. RAPID RESPONSE SW FUNDS	0.00	0.00	0.00
J. TOTAL CASH REQUESTED	$0.00	$0.00	$0.00
7. PROGRAM INCOME RECEIVED (Cumulative grant to date.)	$0.00	$0.00	$0.00

8. CERTIFICATION: I certify that this request for payment has been drawn in accordance with the terms and conditions of the **Statewide WIOA Fiscal Procedures Manual.** I also certify that data reported above is correct and the amount of this request for payment is not in excess of the actual immediate cash requirements of the subrecipient.

(USE BLUE INK TO SIGN BELOW)

DATE	SIGNATURE(S)	TITLE

DATE
Approved, State Programs

DATE
Approved, Admin. Div./WDD Accounting Unit

VOUCHER NUMBER

WARRANT NUMBER

WDD-32 Revised 07/2015

Instructions for Completing Status of Funds and Cash Request Form WDD-32

Grant No. : Enter the grant number this cash request is for.

1. **Document No**.: Enter the number of this cash request. The first request for each Grant must begin with number one (1) and continue in sequence until the Grant ends and is closed out.

2. **Date**: Enter the date the request is prepared. Enter the program year or fiscal year funds being drawn down on this request.

3. **Grantor Agency Name and Address**: Provided, no entry necessary.

4. **Subrecipient Name and Address**: Enter the name and address of the subrecipient. The name should reflect the payee of the check.

5. **Status of Funds**: A separate WDD-32 must be completed for each WIOA grant. Show only the figures that are applicable to the grant number referenced on the form.

A. Enter the cumulative cash received for this grant. Do not include program income.
B. Enter the cumulative cash disbursed for this grant. Do not include program income.
C. Subtract line B from line A and enter WIOA funds on hand.
D. Enter program income on hand.
E. Add lines C and D and enter total cash on hand.
F. Enter the amount of this request. Amount must agree with the amount shown on line 6. J.
G. Enter the amounts of unpaid requests. This includes all requests for payment submitted to the State Office but not received by the subrecipient.
H. Add lines, E, F, and G and enter totals.

6. **Cash Request**:

WIOA FUNDING STREAMS:
A. Adult Funds
B. Adult Funds transferred from Dislocated Worker
C. Dislocated Worker Funds
D. Dislocated Worker Funds transferred from Adult
E. Youth Funds
F. Adult SW 15% Incentive Funds
G. DW SW 15% Incentive Funds
H. Youth SW 15% Incentive Funds
I. Rapid Response SW Funds
J. Total Cash Requested

A-I Enter the amount being requested for administration and program from each of the above referenced funding streams.

Add lines A through I and enter the total on line J.

7. Enter the cumulative program income received to date for this grant.

8. **Certification**:

Date: Enter the date request is signed by the subrecipient official.
Signatures: Subrecipient official(s) must sign in accordance with Authorized Signature Card, Form WDD 6. Document must be signed using **BLUE INK**.

NOTE: DO NOT USE LIQUID PAPER OR STRIKEOVERS IN CORRECTING FUND AMOUNTS.

Submitt two typed copies with original signatures to the address shown in Item Number 3 above.

Exhibit E

BONDING CERTIFICATION

Bond is required of all subrecipients who draw cash advances from the program. It is not required of any subrecipient who draws only cash reimbursement. The Subrecipient must change, add, or delete names of persons covered by the bond as changes occur.

I **CERTIFY THAT** the agency / organization listed on the obverse of this form is bonded in the

amount of _____ with _____

_____

until _____. This bond provides full-coverage in its provisions for all employees who sign the WDD Status of Funds Report and Cash Request Forms requesting cash advances and cash or deposit WDD funds for this agency, prepare time and attendance record and paychecks for participants, account for funds on general ledgers of accounts or in any way account for or handle WDD funds. All such persons whose name(s) appear below, including myself as signatory authority to this certification, are the only persons who will handle WDD funds. I understand that cash advances requested, which exceed the amount of the bond shall not be paid unitl coverage is in order.

Backside WDD-6

_____
Signature

_____
Title

_____
Date

Exhibit F

SUB-RECIPIENT'S INVOICE

1. Name and Address of Sub-recipient		3. Agreement No.
		4. Invoice No.
	2. Fed. I.D.#	5. Reporting Period of Invoice
6. Agreement Amount $ -	7. Total Cash Requested through Previous Invoice $ -	8. Balance Available $ -

	A. Administration	B. Program	Total
9. Total Expenditures of Prior Period	$ -	$ -	$ -
10. Actual Expenditures This Period	$ -	$ -	$ -
11. Accrual Estimates This Period	$ -	$ -	$ -
12. Previous Period Accruals	$ -	$ -	$ -
13. Total Expenditures To Date	$ -	$ -	$ -
14. Estimated Expenditures Next Month			$ -
15. Total Estimated Cash Needs			$ -
16. Less Program Income			$ -
17. Total Cash Requested through Previous Invoice			$ -
18. Amount Requested			$ -

I HEREBY CERTIFY THAT (a) the Workforce Development Division has not been billed for the services covered by this invoice; (b) funds have not been received from the said WDD or expended for such services under any other agreement or grant; (c) the amount(s) claimed by this invoice constitute(s) allowable costs/expenditures under the terms of the agreement or grant; (d) all amounts for Federal Income, Unemployment, and FICA Taxes due through the end of the preceding quarter have been paid and; (e) that subcontractors have furnished evidence of attaining an Employer Identification (EI) number and are complying with applicable tax laws. Any advance of federal funds drawndown by either advance or a working capital advance and not disbursed with thirty days from the date of the advance must be refunded to ADECA (State/ADECA Policy). ***Please use blue ink to sign.***

19. Sub-recipient's Authorized Signature	20. Title	21. Date
22. Contact Person	23. Title	24. Telephone No.

Workforce Development Division/Date

Administrative Division/Date

SUBMIT IN DUPLICATE TO:

Prior to 09/30/15

Workforce Development Division
State Programs and Divisional Budget Mgt Section
Post Office Box 5690
Montgomery, AL 36103-5690

After 09/30/15

Alabama Department of Commerce
Workforce Development Division
Post Office Box 304106
Montgomery, AL 36130-4106

Accounting Use Only:

Warrant No. _____
Warrant Date _____
Voucher No. _____

Posted to Computer
Initials: _____
Date: _____

Exhibit F Instructions

1. Enter sub-recipient's name and complete mailing address.

2. Enter Federal Employer's Identification Number.

3. Enter Agreement Number.

4. Enter the number of this invoice. The initial invoice for each agreement should be number 1 and subsequent invoices for that agreement should be numbered consecutively (2,3,4,...).

5. Enter the period of expenditures. For subrecipients on an advanced basis, enter ADVANCE on the first invoice. On subsequent invoices, enter the period of expenditures.

6. Enter agreement amount.

7. Enter the total amount of cash requested through last invoice submitted (Item 15 on previous invoice).

8. Enter the difference between the Agreement Amount (#6) and Cash Requested to Date (#7).

9. Enter total expenditures through preceding period from line 13 of the previous invoice.

10. Enter total cash payments for this reporting period.

11. Enter accrual estimates - Defined as: Vendor invoices on hand for goods and services received but not paid, also value of goods and services received but not yet billed. This period's accrual estimate is computed through the last day of the reporting on this invoice. Do not include outstanding purchase orders.

12. Enter the accruals reported for the prior period from line 11of the previous invoice.

13. Total Expenditures of Prior Period (#9) + Actual Expenditures This Period (#10) + Accrual Estimates This Period (#11) - Previous Period Accruals (#12) = Total Expenditures to Date (#13). For the next period bring this figure forward to line 9.

14. Enter estimated expenditures for next month. This is an advance to you.

15. Enter the total of #13 and #14.

16. Enter cumulative program income.

17. Enter actual cash received and cash requested but not yet received.

18. Total Estimated Cash Needs (#15)-Program Income (#16)-Total Cash Requested through Previous Invoice (17) = Amount Requested (#18).

19. Sign invoice after ensuring correctness. Signature must be the same as on the signature card. The original invoice and the copy must have original signatures. Signature must be in blue ink.

20. Enter title of person signing invoice.

21. Enter date invoice is signed.

22. Enter the person's name to whom questions may be directed concerning invoice.

23. Enter title of contact person.

24. Enter the telephone number of contact person.

Exhibit G-1

INVOICE SUMMARY
Sub-recipient's Name:

Agreement/Project No: _____
Invoice Number: _____
Reporting Period: _____

A.	**Administration (Items 1-11)**	**EXPENDED**
A.1.	Total Staff Salaries (Itemize on backup/Show %)	
A.2.	Total Staff Fringe Benefits(Itemize on backup)	
	(Indicate _____% of Salaries)	
A.3.	Staff Travel (Itemize on backup)	
	In-State	
	Out-of-State	
	TOTAL TRAVEL	$ -
A.4.	Facilities (Itemize on backup)	
A.5.	Communications (telephone, Internet, etc.)	
A.6.	Office Supplies	
A.7.	Equipment (Itemize on backup)	
A.8.	Other (Itemize on backup)	
A.9.	**TOTAL DIRECT COSTS (1-8)**	$ -
A.10.	**TOTAL INDIRECT COSTS**	
	Specify Approved % rate on backup	
A.11.	**TOTAL ADMINISTRATION (A9-A10)**	$ -
A.12.	Program Income Earned	
A.13.	Program Income Expended	

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Exhibit G-2

INVOICE SUMMARY Agreement/Project No: _____

B.	**Program Cost** _____	**EXPENDED**
	Other: Specify _____	
B.1.	Total Staff Salaries (Itemize on backup/Show %)	
B.2.	Total Staff Fringe Benefits (Itemize on backup) (Indicate ____ % of Salaries)	
B.3.	Staff Travel (Itemize on backup)	
	In-State	
	Out-of-State	
	TOTAL TRAVEL	$ -
B.4.	Facilities (Itemize on backup)	
B.5.	Communications	
B.6.	Office Supplies	
B.7.	Books & Training/Teaching Aids	
B.8.	Equipment (Itemize on backup)	
B.9.	Other (Itemize on backup)	
B.10.	Payment of ITAs	
B.11	On-the-Job Training	
B.12	Work Experience Wages	
B.13	Work Experience FICA	
B.14.	Supportive Services to Participants (Itemize on backup)	
B.15.	**Total Direct Costs (B1-B14)**	$ -
B.16	**Indirect Costs** (Specify approved % rate on invoice backup)	
B.17.	**Total Program Costs**	$ -
B.18.	Program Income Earned	
B.19.	Program Income Expended	

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INVOICE SUMMARY Agreement/Project No: _____

D. Accrual Estimates This Period

Administration	_____	_____
Program Cost	_____	_____
Other: Specify	_____	_____
TOTAL ACCRUALS		$ -

Estimated Expenditures Next Month _____

Exhibit G-4

REPORT BACKUP

Agreement/Project No: _____

COST CATEGORY: Administration ____
Program ____
Other ____

Line Item:	EXPENDED
Total	**-**

Line Item:	EXPENDED
Total	**-**

Line Item:	EXPENDED
	-
Total	**-**

Line Item:	EXPENDED
	-
Total	**-**

Revised 07/2015

STATE OF ALABAMA
STATEMENT OF OFFICIAL IN-STATE TRAVEL

Exhibit H

Department/Agency	Code Number	Division	Funds

APPROVED _____
Department Head

_____
Official Station or Base

Name
Address
City State Zip

SSN XXX-XX-
Above Space for Name, Address & SSN (last 4 digits) of Traveler

Month And Date	POINTS OF TRAVEL		Private Car Miles	Hour of Departure From Base		Hour of Return to Base		Amount Per Diem Claimed
	From City	To City		AM	PM	AM	PM	

Total Number of Miles Traveled	TOTAL PER DIEM CLAIMED	
	MILEAGE (# of miles x mileage rate)	
Detail miscellaneous expense and furnish receipts when required. This space for departmental approval, etc. Use extra sheets when necessary.	MISCELLANEOUS EXPENSE	
	TOTAL THIS EXPENSE ACCOUNT $	

I HEREBY CERTIFY that the travel and expense indicated hereon was accomplished in the performance of official duties pursuant to travel granted me.

_____
Signature of Traveler

Sworn to and subscribed before me this _____ day of

_____

_____
Notary Public

Revised 03/2015

STATE OF ALABAMA

Exhibit I

Statement of Official Out of State Travel

Department/Agency _____ Code Number _____ Division _____ Funds _____

Name of Traveler _____ Social Security Number _____ Official Station or Base _____

Address of Traveler (including street, city, state, and zip code) _____ Purpose of Travel _____

The mileage and subsistence expense indicated in this expense account has been previously authorized and has been checked for compliance.

APPROVED:

_____
Departmental

I Hereby Certify That the Within Account in the Amount of _____ is correct, due, and unpaid.

_____
Signature of Payee

Sworn to and subscribed before me this _____ day of _____.

_____
Notary Public

RECAPITULATION OF EXPENSES

Travel Expenses	Amount	Emergency and Necessary Expenses Incurred in Connection with Travel	Amount
Commercial Transportation (incl rental car/gas) 0400-02		Total other expenses such as postage, fax, telephone, parking, baggage, handling, tolls, conference registration, etc	
Mileage, private car 0400-01			
Meals and lodging 0400-03			
SUBTOTAL TRAVEL EXPENSES		GRAND TOTAL TRAVEL EXPENSES	

ITEMIZED STATEMENT OF NECESSARY TRAVELING EXPENSES INCURRED FOR PERIOD _____ TO _____

Date mm/dd/yy	Points of Travel		Hour of Depart/ Return	Private Car Miles / Fare Description	Commercial Fare Amount	SUBSISTENCE			Total Meals	Lodging	Total Meals & Lodging	Necessary Expense & Conference Registration	
	From City/State	To City/State				Breakfast	Lunch	Supper				Detail	Amount
TOTALS													

Revised 03/2015

EMPLOYEE INDIVIDUAL TIME REPORT **Exhibit J**

Name _____ **Social Security Number** _____ **For Period Ending** _____ **20** _____
(Last 4 Digits Only)

COST CENTER	PROGRAM	DAY	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	TOTAL HOURS
Total Productive Hours																																		
Sick Leave																																		
Annual Leave																																		
Holidays																																		
Other																																		
Daily Total																																		

Approved By:

Supervisor Signature

Certification:

Employee's Signature

Revised 03/2015

Workforce Innovation and Opportunity Act (WIOA) Applicable OMB Circulars and Regulations					
	OMB Circulars				
Nature of Grantee	Federal Audit Requirements	Federal Cost Principles	Uniform Administrative Requirements	Department of Labor Administrative Regulations	Department of Labor WIOA Regulations*
State/Local Government	2 CFR, Chapter 1, Chapter II, Part 200, et al and 2 CFR2900.20-.22	2 CFR Part 2900	2 CFR Part 2900	2 CFR Part 2900	20 CFR Part TBD
Educational Institutions (Colleges & Universities)		2 CFR Part 2900	2 CFR Part 2900	2 CFR Part 2900	20 CFR Part TBD
Private Non-Profit		2 CFR Part 2900	2 CFR Part 2900	2 CFR Part 2900	20 CFR Part TBD

OMB Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards;
Final Rule - 2 CFR Chapter 1, Chapter II, Part 200, et al.
Department of Labor 2 CFR Part 2900

***Note: The WIOA Final Regulations will not be issued until sometime in 2016.**

OMB Circulars, Related Regulations and Internet Resources

Circulars and Regulations

Cost Principles	
2 CFR Chapter 1, Chapter II, Part 200 et al.	Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; Final Rule
	and
2 CFR Part 2900	U.S. Department of Labor
48 CFR Part 31	Cost Principles for Commercial Organizations
Administrative Requirements	
2 CFR Chapter 1, Chapter II, Part 200 et al.	Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; Final Rule
	and
2 CFR Part 2900	U.S. Department of Labor
Audit Regulations and Requirements	
2 CFR Chapter 1, Chapter II, Part 200 et al.	Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; Final Rule
	and
2 CFR Part 2900	U.S. Department of Labor
Miscellaneous Provisions	
29 CFR Part 93	Department of Labor Lobbying Regulations
29 CFR Part 98	Department of Labor Debarment and Suspension Regulations

Internet Resources

A listing of World Wide Web sites that provide guidance and information on audits, public funds, financial management, administrative requirements for federal funding, is presented below. This listing is current as of March 2015. Remember that Internet addresses change with some regularity and, if the listed address is wrong, a search will usually result in obtaining the correct address.

http://www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR **Code of Federal Regulations (Annual Edition)** The Code of Federal Regulations (CFR) annual edition is the codification of the general and permanent rules published in the Federal Register by the departments and agencies of the Federal Government. It is divided into 50 titles that represent broad areas subject to Federal regulation. The 50 subject matter titles contain one or more individual volumes, which are updated once each calendar year, on a staggered basis. The annual update cycle is as follows: titles 1-16 are revised as of January 1; titles 17-27 are revised as of April 1; titles 28-41 are revised as of July 1; and titles 42-50 are revised as of October 1. Each title is divided into chapters, which usually bear the name of the issuing agency. Each chapter is further subdivided into parts that cover specific regulatory areas. Large parts may be subdivided into subparts. All parts are organized in sections, and most citations to the CFR refer to material at the section level.

http://www.gao.gov/ **Government Accountability Office (GAO)** web site. Provides links to a financial audit manual, Comptroller General decisions, and GAO audit reports.

https://www.whitehouse.gov/omb **Office of Management and Budget (OMB)** web site. Provides links to all OMB circulars, compliance supplements, and OMB policy.

https://www.whitehouse.gov/omb/circulars_default **OMB** site provides an index of all OMB circulars categorized by subject area. Provides links to actual circulars.

http://fiscal.treasury.gov/ **Treasury Department** financial information site. Also has links to other government financial resource pages.

https://www.ignet.gov/content/about-igs **Federal Inspectors General** site. Contains audit requirements, standards, and links to other audit related sites.

http://www.doleta.gov/ **U.S. Department of Labor (USDOL), Employment and Training Administration (ETA)** web site. Contains links to ETA programs, policy issues, and news releases.

http://www.acf.hhs.gov/program/ofa **Department of Health and Human Services** site for the Administration for Children and Family, the agency responsible for the Temporary Assistance to Needy Families program.

https://www.congress.gov/ **The Library of Congress THOMAS System**. A complete Congressional resource system. Tracks legislation, committees, and all members.

http://www.loc.gov/ **The Library of Congress** home page. Excellent beginning place for research.

http://www.doleta.gov/wioa/ **Workforce Innovation and Opportunity Act (WIOA)** Resource Pages.

Exhibit L

ALABAMA DEPARTMENT OF ECONOMIC AND COMMUNITY AFFAIRS
WORKFORCE DEVELOPMENT DIVISION
Subgrantee Cash Control Worksheet

1. **Signature Name:** _____
2. **Month and Year :** _____

Date	3. Document Reference	4. Explanation	5. Receipts	6. Disbursements	7. Balances
Balance Brought Forward From Prior Worksheet					

SUBGRANTEE CASH CONTROL WORKSHEET **Exhibit L Instructions**

INSTRUCTIONS

The cash control worksheet is used to help minimize subgrantee cash on hand by providing a daily analysis. This report will assist the subgrantee in the determination of subsequent cash request and provide the State Office with a review document for analyzing subgrantee cash on hand.

The instructions for the completion of the WDD-27, Subgrantee Cash Control Worksheet are as follows:

Item 1: Enter the subgrantee's complete name.

Item 2: Enter month and year covered by the worksheet.

Item 3: Enter document referrenced number.

Item 4: Use this column to explain any unusual receipts or disbursements.

Item 5: Enter total daily receipts.

Item 6: Enter total daily disbursements.

Item 7: Enter cash balance on hand.

The subgrantees are required to complete, on a daily basis, the cash control worksheet, and to submit the original and one copy to the State Office to the attention on the WDD Accounting Unit, by the fifth working day following the end of the month. The subgrantee should retain a copy for audit or review purposes.