

EMPLOYERS' TRAINING RESOURCE

1600 E. Belle Terrace
Bakersfield, CA 93307

POLICY BULLETIN: #ETR 20h-23

TO: All ETR and ETR Providers of Service
FROM:  Aaron Ellis
Interim Chief Workforce Development Officer
DATE: April 20, 2023
SUBJECT: **Fraud or Abuse Reporting Procedure**

**This Policy Bulletin Supersedes Any Previously Issued Policy Statements
Concerning Reporting Procedure**

The procedures set forth in this document shall be used for reporting an issue alleging fraudulent violation of the Workforce Innovation and Opportunity Act (WIOA) regulations, grants, or other agreements under WIOA (including terms and condition of participants' employment), or other laws while in the performance of duties under WIOA funding. This procedure is authorized under WIOA and the governing regulations, 20 CFR Section 683.620. Federal and State requirements for incident reporting are included in Employment Development Department (EDD) Workforce Services Directive (WSD) WSD20-12 (attached).

Scope of Policy

Incidents relating to criminal fraud, criminal abuse or other criminal activity, and non-criminal complaints such as waste of funds, must be reported within one day of discovery. Subrecipients of WIOA funds, which would include the Kern, Inyo and Mono (KIM) Counties Workforce Development Board (WDB), Employers' Training Resource (ETR), and the America's Job Center of California (AJCC) of Kern, Inyo and Mono Counties, are subject to incident reporting under this policy. In addition, subrecipients which are service providers receiving funds from the KIM WDB are also subject to these policies.

Policy Relating to Employees of the KIM WDB, ETR and the AJCC of Kern, Inyo and Mono Counties

If staff of any of these agencies has knowledge or suspicion of a violation of the WIOA or its regulations, the individual must report this information within one workday of detection or discovery to the funding entity (i.e. ETR). WIOA regulations at CFR Section 683.620 require that information or complaints must be reported within one day of detection.

Submit the report to: **Aaron Ellis**
Interim Chief Workforce Development Officer
Employers' Training Resource
1600 E. Belle Terrace
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At the same time, reports must be made to the Employment Development Department (EDD) Compliance Review Office (CRO). The CRO must immediately report the allegations through the Department of Labor's (DOL) Incident Reporting System to the Office of Inspector General (OIG) with a copy simultaneously provided to the DOL Employment and Training Administration (ETA). In addition to submitting allegations to the CRO, Subrecipients may also report allegations directly to the OIG, if deemed appropriate.

The detecting entity shall prepare a written Incident Report. The report must be submitted on the Incident Report form, or a similar document containing the requested information to the CRO by email. The fillable pdf document can be found at:

https://www.dol.gov/sites/dolgov/files/ETA/advisories/TEGL/2012/TEGL_2_12_att_c.pdf

A copy of the instructions and the form are attached herein. They are Attachment C of the ETA Training and Employment Guidance Letter (TEGL) 2-12

In addition, for any WIOA incident reported that is tied to WIOA programs funded by La Cooperativa Campesina de California (LCCDC), ETR will notify LCCDC at:

Incident Report
Director
La Cooperativa Campesina de California
1107 9th Street, Suite 420
Sacramento, CA 95814

LCCDC may also notify the Regional Administrator, Region 6, Employment and Training Administration, US Department of Labor, San Francisco, California.

Policy Relating to Employees of Service Providers or Clients under Workforce Innovation and Opportunity Act Funds

WIOA subrecipients must maintain on file a written procedure to inform staff of their responsibilities to report instances of fraud, abuse or criminal activity to the funding entity and the CRO immediately, including that the allegations may also be reported to the OIG.

Submit the report to:

Aaron Ellis
Interim Chief Workforce Development Officer
Employers' Training Resource
1600 E. Belle Terrace
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At such time, the **Chief Workforce Development Officer** (or designee) will immediately report the allegations to EDD CRO, who will report to the OIG and ETA. For any WIOA incident reported that is tied to WIOA programs funded by LCCDC, ETR will notify LCCDC at the above address.

Attached: WSD20-12, "Incident Reporting"
Attachment C of TEGL 2-12