

## **Request for Approval**

# **America's Job Center of California<sup>SM</sup> Adult and Dislocated Worker Career Services Provider**

**Local Workforce Development Board**

**Workforce Development Board of Solano County**

**Local Workforce Development Area**

**Solano County**

*The EDD is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities.*

The *Workforce Innovation and Opportunity Act* (WIOA) allows Local Workforce Development Boards (Local Board) to be an Adult and Dislocated Worker Career Services Provider with the agreement of the Chief Elected Official (CEO) and the Governor.

This application will serve as the Local Board's or administrative entity's request for Governor Approval to be an Adult and Dislocated Worker Career Services Provider within a Local Workforce Development Area (Local Area) under WIOA. The application must be submitted to the California Workforce Development Board (CWDB) by **March 1, 2024**, through the following method:

**Email** [CWDBPolicyUnit@cwdb.ca.gov](mailto:CWDBPolicyUnit@cwdb.ca.gov)  
**Subject line** Career Services Provider Application

If the CWDB determines the request is incomplete, it will either be returned or held until the necessary documentation is submitted. Please contact your [Regional Advisor](#) for technical assistance or questions related to completing and submitting this request.

Workforce Development Board of Solano  
County

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Name of Local Board

500 Chadbourne Rd, Suite 100

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Mailing Address

Fairfield, CA 94534

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City, State Zip

Heather Henry

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Contact Person

707-863-3501

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Contact Person's Phone Number

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Date of Submission

## **Request for Approval Adult and Dislocated Worker Career Services Provider**

### **Local Chief Elected Official Statement**

A Local Board or administrative entity that seeks approval to be an Adult and Dislocated Worker Career Services Provider within an America's Job Center of California<sup>SM</sup> must provide a statement from the local CEO indicating his/her request as well as responses to the following questions.

Please provide responses to the following items on a separate document:

1. What factors guided the Local Board's or administrative entity's decision to submit this application to be an Adult and Dislocated Worker Career Services Provider within the Local Area?
2. How would participants be better served by the Local Board or administrative entity acting in this role rather than through the awarding of contracts?
3. Describe the Basic and Individualized Career Services the Local Board or administrative entity will provide as well as their past experience providing these services.
4. Provide the Local Area's performance outcomes for each of the last two Program Years (PY 20-21 and 21-22) and evidence that the Local Board or administrative entity is qualified to provide Adult and Dislocated Worker Career Services, including testimonials that speak to the effectiveness and efficiency with which the Local Board or administrative entity has provided or can provide those services.
5. Attach documentation (signed and dated letter) that the members of the Local Board and other relevant parties (e.g., Board of Supervisors) reviewed the information provided in the application and approved the request in a public meeting.
6. Attach documentation of internal controls, conflict of interest, and firewall policies.

## Signature Page

By signing below, the local CEO and Local Board chair request approval from the Governor to be an Adult and Dislocated Worker Career Services Provider. Each party certifies that this application submission was reviewed and demonstrates that the Local Board or administrative entity will meet all the requirements as an Adult and Dislocated Worker Career Services Provider under WIOA law and regulations.

### Instructions

The Local Board chair and local CEO must sign and date this form. Include the original signatures with the request.

**Local Workforce Development Board Chair**

  
Signature

Chris Churchill  
Name

WDB Board Chair  
Title

4/10/2025  
Date

**Local Chief Elected Official**

\_\_\_\_\_  
Signature

Mitch Mashburn  
Name

Chair - Solano County Board of Supervisors  
Title

\_\_\_\_\_  
Date

# Request for Approval for the Workforce Development Board of Solano County to Serve as the Adult and Dislocated Worker Career Services Provider

## Local Chief Elected Official Statement

This is a request by the Solano County Board of Supervisors seeking approval by the State of California for the Workforce Development Board of Solano County, Inc. to directly provide Workforce Innovation and Opportunity Act (WIOA) Career Services for Solano County's WIOA Title I Adult and Dislocated Worker grant programs.

## Responses to State-Defined Questions

**What factors guided the Local Board's or administrative entity's decision to submit this application to be an Adult and Dislocated Worker Career Services Provider within the Local Area?**

The Workforce Development Board (WDB) of Solano County Inc. has successfully served as both administrative entity and direct service provider of federal workforce formula funds on behalf of the County of Solano as grant recipient since 1982. In-house workforce provider staff has a long-term history in administering complex federal programs and directly serving the needs of job seekers and employers. Success has been achieved in both administration and direct service delivery under the federal Job Training Partnership Act (JTPA), Comprehensive Employment and Training Act (CETA), Workforce Investment Act (WIA) and now Workforce Innovation and Opportunity Act (WIOA). As a non-profit organization directly connected to the County through a fiscal agent agreement, career services are provided in concert with County priorities, community needs, and current labor market conditions.

Continuity of service provision and understanding of federal WIOA eligibility and service delivery regulations governing Adult and Dislocated Worker services allows for a robust and compliant delivery of workforce services in Solano County. The WDB has been able to show flexibility and creativity to adapt to changes in federal and State expectations for these WIOA Title I workforce development programs. Having the WDB serve as both the administrative entity and the service provider of Adult and Dislocated Worker services allows the local workforce services to remain nimble amidst labor market shifts. For example, during COVID-19, the WDB was able to act on service delivery changes immediately without engaging in contractual negotiations with a sub-recipient.

**How would participants be better served by the Local Board or administrative entity acting in this role rather than through the awarding of contracts?**

Eliminating the current provision of WIOA Adult and Dislocated Worker services through the WDB would prompt a significant redirection of agency fiscal resources to the detriment of job seekers and businesses and would mandate a significant reduction in staffing; staff who are skilled and experienced in providing innovative and responsive services, while remaining federally compliant. Competitive procurement of a contractor to provide such services, with limited and decreasing financial resources being available, would likely not yield local qualified/capable applicants responding from within Solano or neighboring areas. The WDB has a track record of limited or unqualified responses to federal workforce services procurement efforts. This phenomenon likely would occur if Career Services were procured. However, combining and integrating a number of key administrative and operational WIOA functions builds and sustains a basic functionality for the agency, where economies of scale and a staff fulfilling a diverse set of functions can be accounted for. Breaking functions into smaller, unique realms loses such functionality and puts the WIOA program's performance at risk.

**Describe the Basic and Individualized Career Services the Local Board or administrative entity will provide as well as their past experience providing these services.**

The WDB will provide the following required Basic and Individualized Career Services for applicant/participant job seekers and businesses through the Adult and Dislocated Worker grant programs:

Basic Career Services	
<ul style="list-style-type: none"><li>• Eligibility for AJCC Partner Services</li><li>• Outreach</li><li>• Intake</li><li>• Orientation</li><li>• Initial Assessment</li><li>• Labor Market Information</li><li>• Resume Preparation</li><li>• Job Search Workshops</li></ul>	<ul style="list-style-type: none"><li>• CalJOBS Registration</li><li>• Resource Center for Self-Services</li><li>• Supportive Service Information</li><li>• Unemployment Insurance (UI) Information</li><li>• Financial Aid Information</li><li>• Referrals to Programs</li></ul>
Individual Career Services	
<ul style="list-style-type: none"><li>• Comprehensive Assessments</li><li>• Objective Assessments</li><li>• Individual Employment Plan Development</li><li>• Career Exploration</li><li>• Career Planning and Counseling</li><li>• Case Management</li><li>• Barrier Mitigation</li></ul>	<ul style="list-style-type: none"><li>• Workforce Preparation</li><li>• One-on-One Resume and Interview Assistance</li><li>• Work Experience</li><li>• Referral to Basic Skills Development</li><li>• Pre-Vocational Training</li><li>• Financial Literacy</li><li>• Job Development and Matching</li></ul>

<ul style="list-style-type: none"> <li>• Supportive Service Funding</li> </ul>	<ul style="list-style-type: none"> <li>• Follow-Up Services</li> </ul>
<b>Training Services</b>	
<ul style="list-style-type: none"> <li>• Occupational Skills Training</li> <li>• Career Pathway Training</li> <li>• On-the-Job Training</li> </ul>	<ul style="list-style-type: none"> <li>• Transitional Jobs</li> <li>• Entrepreneurial Training</li> <li>• Incumbent Worker Training</li> </ul>
<b>Business Services</b>	
<ul style="list-style-type: none"> <li>• Career Fairs</li> <li>• Recruitment Events</li> <li>• Pre-Screening of Candidates</li> <li>• Talent Pipeline/Sector Strategies</li> </ul>	<ul style="list-style-type: none"> <li>• Talent Retention Strategies</li> <li>• Business Seminars and Workshops</li> <li>• Labor Market Information</li> <li>• Technical Assistance and Consultation</li> </ul>

The WDB staff has 34 years of experience in doing the same (or very similar) functions under several above-cited federal formula grant programs. Staff work with local workforce, training, economic development, and basic needs assistance entities to support these activities for job seekers and businesses.

**Provide the Local Area's performance outcomes for each of the last two Program Years (PY 20-21 and 21-22) and evidence that the Local Board or administrative entity is qualified to provide Adult and Dislocated Worker Career Services, including testimonials that speak to the effectiveness and efficiency with which the Local Board or administrative entity has provided or can provide those services.**

Using official data provided by the Employment Development Department's (EDD) performance unit, the WDB's performance for the last two Program Years are as follows:

<b>Performance Indicators</b>	<b>Performance Goal</b>	<b>PY2020-21 Performance</b>	<b>PY2021-22 Performance</b>
<i>Adult</i>			
Employment 2 <sup>nd</sup> Quarter Post-Exit	<b>77.0%</b>	73.6%	75.0%
Employment 4 <sup>th</sup> Quarter Post-Exit	<b>70.0%</b>	77.6%	66.7%
Median Earnings (quarter earnings)	<b>\$6,000</b>	\$6,971	\$10,270
Credential Attainment Rate	<b>62.0%</b>	73.3%	78.6%
Measurable Skill Gain	<b>60.0%</b>	30.8%	77.5%
<i>Dislocated Workers</i>			
Employment 2 <sup>nd</sup> Quarter Post-Exit	<b>71.6%</b>	79.1%	80.6%
Employment 4 <sup>th</sup> Quarter Post-Exit	<b>75.0%</b>	81.4%	74.5%
Median Earnings (quarter earnings)	<b>\$8,244</b>	\$12,361	\$13,405
Credential Attainment Rate	<b>60.0%</b>	79.1%	93.5%
Measurable Skill Gain	<b>60.0%</b>	45.5%	63.3%

The COVID-19 pandemic impacted employment and training completion performance during the past two program years, with the largest impacts in Employment 2<sup>nd</sup> Quarter and Employment 4<sup>th</sup> Quarter Post-Exit and in Measurable Skills Gain. Many individuals placed in employment were

laid off, impacting six-month and twelve-month retention indicators. The closure of training providers also significantly reduced the rate of training completion, thereby impacting measurable skill gain indicators. However, the WDB has had great success in placing individuals into family-sustaining wages, with some of the highest median earnings indicators in the state and employment retention numbers are almost back to pre-pandemic levels.

### Testimonials

The WDB receives continuous feedback and appreciation from both job seekers and businesses for the services provided under the WIOA Title I Adult and Dislocated Worker programs. Below are a number of testimonials provided by the WDB's job seekers and businesses served:

#### Sarah



Sarah was placed in a work experience with Downtown Vacaville Eye Care. Dr. Hang T. Nhan, O.D. said of Sarah's placement: "Sarah is fantastic! She jumped right in here and has gotten this front desk and our front office neat, clean and organized. She is friendly and a fast learner and we're very excited to have her on board."

#### Moses

Moses came to the WDB as an immigrant seeking additional career skills. Moses said of the experience: "I would like to thank the WDB's Employability Specialists for helping out with enrollment at CSU. Thank you all for making my journey of integration into the United States enjoyable and easier. My family and I wish you all the blessings and success as you continue changing the lives of other individuals out there."



#### Josh

Josh has developmental disabilities but stays busy with activities at a day program run by Pace Solano, a nonprofit that provides services and support to individuals with developmental disabilities. But recently, Josh decided he wanted more out of life and came up with two goals. "I wanted to go back to school and get my GED," he says. Second, he wanted a job. At the WDB, Josh talked with Rachelle Franko, a disabilities resource specialist. For clients like Josh, Franko says the goal is to help those with disabilities to become as independent as possible. Franko





taught him how to set priorities, and she coordinated with counselors at Pace Solano to help with Josh's job search. Josh eventually got a job collecting trash outside of Pace Solano's facility for a couple of hours a day, which fit his schedule. "I like working and seeing a lot of people walking by," Josh says. Today, Josh says he is enjoying his math lessons at school and is grateful to Franko and other WDB staffers. "These ladies are very good friends of mine," he says.

### **Fairfield Martial Arts**

In April 2020, the WDB Business Services team launched the Layoff Aversion Fund using Rapid Response funding to provide microgrants to Solano's small businesses at the beginning of COVID-19. One recipient, Fairfield Martial Arts, shared: "At a time when many small local businesses are being overlooked, the WDB has been there to help out with advice and assistance. We were thrilled to receive a grant for the purchase of necessary hardware and software so we can move forward with online classes and virtual training to maintain our current client base as well as reach new ones. The WDB is definitely doing what they can to help out and are quickly becoming an invaluable aid during this extraordinary time."

### **Tolenas Winery**

Tolenas Winery is a craft winery located in the heart of the Suisun Valley. As second-generation farmers and winemakers, Tolenas Winery was born out of a passion for winemaking and continuation of the Tenbrink-Howard family legacy. With the onset of COVID-19, Tolenas Winery's event plans and sales were extinguished overnight.

WDB's Business Services administered a grant program that enabled Tolenas Winery to explore a cutting-edge way to market the winery and Suisun Valley region by creating "Taste of Tolenas" wine sample boxes. "Our "Taste of Tolenas" boxes are a big opportunity for us, and we're grateful to have the funds to help us make this happen. With our dedication to the success of Tolenas Winery and this financial assistance, we have the support needed to keep our small second-generation, family-owned business going during the pandemic."



### **Attachments**

- I. Internal Controls Policy
- II. Conflict of Interest Policy
- III. Federal Monitoring Policy with Inclusion of Required Firewalls
- IV. Documentation of Approval in a Public Meeting of the Workforce Board of Directors
- V. Documentation of Approval in a Public Meeting of the Solano County Board of Supervisors

**FISCAL MANUAL - Workforce Development Board of Solano County****ACCOUNTING PROCEDURE SUMMARY**

Solano County, as the grant recipient, requires all WIOA accounting transactions to be processed through the County's fund accounting system. WIOA transactions are generated by WDB and County staff for processing and recording in the County accounting system. The County system provides accounting controls and procedures to assure proper receipt, disbursement, and accounting for WIOA funds. The County completes all cash draw downs from the CalJOBS system.

All WIOA and other funding expenditure information is recorded in the County system and classified by line-item and by function. An additional information collection system, a subsidiary accounting of expenditures, is employed by the WDB for the purpose of identifying indirect and direct costs and then reporting those costs to the appropriate WIOA grants and cost categories.

The subsidiary accounting system is used in the WDB office to collect expenditure data on direct charges to grants and cost categories, and indirect charges to cost pools. The allocation calculations used to distribute the indirect cost pools between grants are entered into this subsidiary system. This will provide retrievable expenditure information segregated by grant and cost category.

**Internal Control:**

The segregation of duties; in that no one individual has complete authority over an entire financial transaction, is incorporated in the WDB's fiscal procedures through a complete system of checks and balances designed to avoid collusion or other breakdowns in internal control. All claims and invoices are prepared by an accountant with appropriate back up documentation and signed by authorized WDB staff, then reviewed by the executive director for budgetary and grant compliance. All WIOA financial transactions are reviewed by the Solano County Auditor's Office for compliance with both grant rules and County financial management rules, as appropriate. Payment warrants, excluding all payroll and time-sensitive payments, are processed and released to the payee by the Solano County Auditor's Office.

**Cost Allocation:**

The WDB has a cost allocation plan that meets all grant requirements. The purpose of the cost allocation plan is to allocate, record, and track costs on an equitable basis to all grants. This is accomplished by:

- A biweekly time system that identifies and captures actual hours worked by staff on program activities.
- A monthly time study that distributes direct and pooled hours to grants/cost categories. The proportionate share of staff time per grant and cost category can be determined from this time-study.

- A coding system that allows for the recording and tracking of direct costs and indirect costs.
- The identification of direct costs that are chargeable to a grant, cost category, activity code, and fund type. All direct costs must be supported by appropriate time distribution records for personnel costs or appropriate source documentation for nonpersonnel costs. The distribution records and/or source documentation show that the direct cost has a specific relationship to a grant/cost category.
- The identification of indirect costs that have no specific relationship to a particular grant/cost category and accordingly must be allocated. Salary and other operational costs of a program activity are first charged to various temporary cost pools. The amounts in the temporary cost pools are allocated between the grants and cost categories they benefit, based on appropriate methods that are fair, reasonable and equitable.

#### Purchasing:

The Workforce Development Board of Solano County follows their procurement policy, currently WDB Policy #2018-02, Change 1- Procurement Policy. It is followed for the acquisition of supplies, materials, equipment and other items. Additional WDB policies and procedures outline procedures for the acquisition, accountability, control and disposition of all property/equipment purchased with grant funds. All property acquired is accounted for and controlled through an inventory control system maintained by WDB staff.

#### Reporting:

All financial reports to the State and other funders are traceable to the Solano County accounting system, the cost allocation information processed at the WDB offices, bank account statements, and the WDB's subsidiary accounting system. Monthly and quarterly fiscal reports compare actual expenditures to budgets. All financial records are filed and secured utilizing adopted WDB procedures and will be made accessible to auditors and State and DOL-authorized representatives for review.

Financial statements and reports shall meet the following general standards and guidelines: fairness of presentation, compliance with prescribed requirements, timeliness, and usefulness. All financial reports shall be filed in time to meet any reporting deadlines imposed by the grantor.

#### Cash Management:

Procedures are established to forecast cash needs weekly, or more often if needed. WDB processes invoices weekly and the WDB staff payrolls on a biweekly basis. Cash drawdowns from the State occur to correspond with payment of invoices and the payrolls. The cash request is prepared in the WDB office and submitted to the County Auditor's Office for processing. The funds are transferred from the State to the County Treasury. This process allows the staff to fairly

estimate outstanding expenditures and avoid both overdrafts and excess cash on deposit.

Interest Income:

Federal and State grant funds are maintained in a Solano County account. Cash balances are routinely monitored to prevent excess cash-on-hand. Any interest income that is earned on cash balances is recorded by the Solano County Auditor's Office. Any interest income earned will be expended on program activities in accordance with the grant rules. The WDB staff will record the expenditure of interest income.

Audits:

As grant recipient for WIOA funds, Solano County will undergo an annual Single Audit. As the WIOA accounting information is integrated into the County's accounting system, the Single Audit coverage of the County is expanded to include the WDB's grant funding.

Reports of subrecipient audits are received and reviewed for compliance with applicable law and regulations. The audit resolution and debt collection processes as outlined in the WDB's Fiscal Manual will be followed. These processes meet the WIOA financial management requirements of state and federal regulations.

Debt Collection:

Contractor responsibility for repayment of disallowed costs is delineated in the general conditions of all WIOA contracts. The responsibility for the proper use of resources flows with the funds. Aggressive debt collection will be pursued if and when a debt has been established.

Contractor audit resolution and debt collection processes have been established by the WDB which comply with the applicable state and federal regulations.

Information specific to contractors' capacity to repay disallowed costs is solicited and evaluated during the Request For Qualifications (RFQ) phase of the service provider selection process, for the purpose of protecting the WDB against any uncollectible debt. Only agencies which can ensure repayment of disallowed costs will qualify for further consideration to operate under a Solano County federally-funded contract.

Monitoring:

Procedures for desk and on-site fiscal monitoring of programs are performed according to the WDB monitoring policy with appropriate firewalls in place. Fiscal personnel designated to perform fiscal monitoring coordinate their activities with the WDB's Performance and Compliance Specialist.



**WORKFORCE DEVELOPMENT BOARD**  
OF SOLANO COUNTY

## POLICY ISSUANCE

Date: January 17, 2020 Number: 2020-03

### CONFLICT OF INTEREST AND CODE OF CONDUCT POLICY

#### PURPOSE

The Workforce Development Board (WDB) of Solano County is committed to maintaining the highest of standards of ethical conduct and to guard against problems arising from real, perceived, or potential conflict of interest. All WDB Board Members, WDB employees, and any vendors funded by the Workforce Innovation and Opportunity Act (WIOA) are expected to read, understand and apply this policy to ensure system integrity and effective oversight. Where this document references "Member," it shall mean any agent, WDB employee, officer, and Board Member.

#### QUESTIONS

Questions relating to this policy should be directed to Heather Henry, President/Executive Director, at 707-863-3501 or at [hhenry@solanowdb.org](mailto:hhenry@solanowdb.org).

#### ATTACHMENTS

- Attachment A: Definitions
- Attachment B: Disclosure of Conflict(s) of Interest

#### POLICY

Federal and State regulations require WDB to maintain a written Conflict of Interest Policy governing the performance of its employees, officers, and agents, as well as persons appointed to its boards, committees and workgroups engaged in the selection, award, and administration of contracts or the design of such proposals the contracts are based on.

Pursuant to the California Political Reform Act of 1979 (Government Code Section 81000 et seq.), WDB is also required to adopt a local Conflict of Interest Policy in accordance with California Code of Regulations, Title 2, Division 6, §18730, that requires both the disclosure of financial interests and implements disqualification requirements under state law. This Policy constitutes the local conflict of interest code for WDB. Violation of the provision of a local conflict of interest code is subject to the administrative, criminal and civil sanctions of the Political Reform Act.

The Fair Political Practices Commission has adopted a regulation (2 California Code of Regulations Section 18730) that contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of

Regionals Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference in this policy.

Individuals holding designated positions within the local conflict of interest code shall file their statements of economic interest with the WDB, which will retain the statements and make the statements available for public inspection and reproduction (Gov. Code, § 81008). Upon receipt of the statements of economic interest for WDB Board Members, WDB shall make and retain all original statements in its designated office.

### **CONFLICT OF INTEREST**

It is the policy and expectation of the WDB that its Members will fulfill the fiduciary duties applicable to their service as Members of the WDB. Due to the legal and statutory structures of the WDB, it is expected that conflicts of interest will arise and this policy is intended to provide a framework that will allow the work of the WDB to be achieved without the fact of or appearance of impropriety. The WDB and all other agencies receiving direct financial assistance through WIOA in Solano shall avoid conflict of interest, real or apparent, by observing the following requirements:

1. Each Member shall sign an Attestation denoting that the Conflict of Interest and Code of Conduct Policies have been read, are understood, and that the Member pledges to conduct him/herself in accordance with such policies and procedures during their service to the Board.
2. No Members shall use his or her position, or the knowledge obtained from his or her position, in such a manner that conflicts with the interest of the WDB or results in personal gain to the Member, or a third party that the Member is employed by, has a fiduciary relationship with, or to whom the Member provides services.
3. No Member shall solicit or accept gifts, gratuities or favors from suppliers or potential suppliers, including subcontractors.

### **Disclosure**

1. Any Member that has, or believes he or she has, a conflict of interest must disclose such potential conflict in accordance with the procedures established by the WDB in this policy and shall do so in writing on a prescribed form. The following are deemed conflicts of interest that create a duty of the Member to fully disclose such interest immediately:
  - a. If Member has a significant personal financial interest in a proposed transaction involving the WDB.
  - b. If Member is employed by, or is Trustee, Director, or Officer of any individual, organization or entity that shall have a direct or indirect financial interest in a proposed transaction involving the WDB.

- c. If a Member represents a third party either through personal, professional, or confidential relationship and such party shall have a financial interest in a proposed transaction involving the WDB.
  - d. No Member shall participate in the selection, award or administration of a procurement supported by WIOA funds where, to the individual's knowledge, any of the following has a financial or substantial interest in any organization which may be considered for award:
    - i. the officer, employee, agent or WDB Member;
    - ii. any Member of his or her immediate family;
    - iii. his or her partner, or;
    - iv. a person or organization which employs, or is about to employ, any of the above.
2. In accordance with 20 CFR 683.200(c)(5)(i) "...a State WDB member, Local WDB Member, or WDB standing committee member must neither cast a vote on, nor participate in any decision-making capacity, on the provision of services by such member (or any organization which that member directly represents), nor on any matter which would provide any direct financial benefit to that member or that Member's immediate family."
- In the event that a WDB Member has an interest, directly or indirectly, in a business entity that would have a direct financial effect due to any official action taken by the WDB, the Member shall declare, before a vote or discussion on the matter, the nature and extent of the interest and shall not voluntarily discuss the proposed WDB action. Any such member shall recuse him or herself from participation prior to the official vote. This limitation on discussion shall not prohibit the Member from providing factual information in response to direct questions concerning the matter from other Members. The disclosure shall be reflected in the minutes of the meeting of the WDB.
3. If an award of funding is made with Member violating the requirements of this policy, the WDB is empowered to immediately suspend the obligation; the suspension is subject to review at the next regular or special meeting of the WDB. The balance of the Board, excluding the Member(s) with potential conflict, will then determine what final corrective actions necessary. Actions will be taken in accordance with this Conflict of Interest Policy and Code of Conduct, and could include: removal of the Member, suspension of the obligation, termination of the obligation, or civil action to recover any monetary damages.
4. This policy is not meant to necessarily rule out transactions between the WDB and other persons or entities where an interest or a relationship between the Member and such a person or entity exists. This policy does, however, require proper disclosure

and documentation of such relationships so that all decisions regarding these possible transactions are made in the best interest of the WDB. As stated in 20 CFR Section 683.200(c)(5)(ii) "Neither membership on the State WDB, the Local WDB, or a WDB standing committee, nor the receipt of WIOA funds to provide training and related services, by itself, violates the conflict of interest provisions."

5. Nothing in this policy should be construed to prevent any Member's participation in WIOA programs. WDB membership should not result in an employer receiving any more or any less consideration for trainees. What is important is to ensure that the officer, employee, agent or WDB Member does not approve his/her own training package, or contract for services, but that the system of approval allows for objective determinations.

### **CODE OF CONDUCT**

A written set of standards (Code of Conduct) governing the performance of the WDB and its employees, officers, or agents related to real or apparent conflicts of interest is a requirement (29 CFR 95.42). The following standards shall apply for the WDB, its employees, and its WDB standing committees:

1. Adherence to the Conflict of Interest Policies.
2. Adherence to procurement procedures that serve to minimize the appearance of conflicts, in addition to eliminating actual conflicts. Members who represent One Stop Operators, Partners or actual or potential Service Providers and who serve on committees that oversee the One Stop System or the allocation of resources that would potentially be allocated to their programs shall refrain from discussing or voting on any matter that would financially impact the programs they represent.
3. Any Member that develops or drafts specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements. In order to avoid potential conflicts as circumstances change, Members whose employers may wish to participate in a future procurement will refrain from involvement in specification development or procurement processes.
4. It is the policy of the WDB to discourage ex parte communications with any WDB Member or any other person serving as an evaluator during the Request for Qualification (RFQ) and the Request for Proposal (RFP) process. A WDB Member or evaluator will not solicit nor receive any oral consideration. Any written communication to a WDB Member or evaluator from potential contractors will be distributed to all WDB Members by the WDB President/Executive Director or his or her designee. Potential contractors who attempt to improperly influence the process will receive adverse scores. Any and all written communications should be provided to staff to be distributed to WDB members. Any other communication should be rejected by WDB Members.



5. It shall be the policy of the WDB that individual Members cannot commit the WDB; rather, only the action by the WDB, or the authorized actions of the WDB Executive Committee, can constitute WDB commitments.

A Member shall not become a recipient, directly or indirectly, of any salary payments or loans or gifts or any free service or discounts or other fees from or on behalf of any person or organization engaged in any transaction with the WDB except that a disclosed token gift of a value within applicable Federally allowable maximums may be approved by the board.

## **STATEMENTS OF ECONOMIC INTERESTS**

All Members shall file statements of economic interests disclosing all sources of income, interests in real property and investments, and business positions in business entities located in or doing business in Solano County.

1. Annual Statements are to be filed annually by the April 1 deadline set forth in the FPPC Form 700 guidelines and shall be filed in accordance with Gov. Code §87200.
2. An Assuming Office Statement is to be filed within 30 days of a Member's appointment to the WDB.
3. A Leaving Office Statement is to be filed within 30 days of a Member's resignation.

The WDB's President/Executive Director or designee shall furnish to each Member a Form 700- Annual Statement of Economic Interests and retain the original copy of each Member's completed Statement in its office. Statements will be made available for public inspection and reproduction (Gov. Code. §81008) upon request.

## **DISCLAIMER**

This policy is based on WDB's interpretation of the statute, along with the Workforce Innovation and Opportunity Act; Final Rule released by the U.S. Department of Labor and federal and state policies relating to WIOA implementation. This policy will be reviewed and updated based on any additional federal and state guidelines.

## **REFERENCES**

### **Law**

- [Workforce Innovation and Opportunity Act \(WIOA\)](#)
- [CA Gov. Code §87200](#)
- [CA Gov. Code. §81008](#)
- [Political Reform Act of 1974 \(2019\)](#)

### **Federal Guidance**

- [2 CFR 200.319 \(a\)](#)
- [20 CFR 679.430](#)
- [20 CFR 683.200, \(c\)\(5\)i; \(c\)\(5\)ii; \(c\)\(5\)iii](#)
- Training and Guidance Letter TEGL 35-10 - [Transparency and Integrity in the Workforce Investment Boards Decisions](#)

**State Guidance**

- [FPPC Form 700 guidelines](#)

**Approved by**

Workforce Development Board of Solano County  
Solano County Board of Supervisors

## DEFINITIONS

**Conflict of Interest** – Conflict between the official responsibilities and the private interests of a person or entity that is in a position of trust. A conflict of interest would arise when an individual or organization has a financial or other interest in or participates in the selection of award of funding for an organization. Financial or other interest can be established either through ownership or employment.

**Member** – Member refers to a member of the Workforce Development Board of Solano County or any Committees, unless otherwise specified. It shall also include any agent, WDB employee, or officer.

**Employee** – Refers to an employee of the Workforce Development Board of Solano County and any vendor, agency, or organization

**Financial Interest** – Includes possible disadvantage to a competitor of the business or nonprofit entity which the member represents.

**Immediate Family** – Immediate Family consists of the individual's parents (including step-parents), spouse, domestic partner, children (including step-children), siblings, grandchildren, grandparents, and any relative by marriage (an "in-law").

**Individual** – (1) an individual; i.e., officer, or agent, or (2) any member of the individual's immediate family, or (3) the individual's business partner.

**Organization** – A for-profit or not-for-profit entity that employs, or has offered a job to, an individual defined above. An entity can be partnership, association, trust, estate, joint stock company, insurance company, or corporation, whether domestic or foreign, or a sole proprietorship.

**Indirect Interest** – As defined by Gov. Code §87103 - Any interest owned by the spouse or dependent child or a designated occupant, by an agent on behalf of a designated occupant, by any business entity, or trust controlled by a designated occupancy, in which a designated occupancy, his or her agent, spouse and dependent children own directly, indirectly or beneficially, a ten percent (10%) or greater interest.



**WORKFORCE DEVELOPMENT BOARD**  
OF SOLANO COUNTY

**DISCLOSURE OF CONFLICT(S) OF INTEREST**

I, \_\_\_\_\_, a Member of the Workforce Development Board (WDB) of Solano County, or WDB Staff Member hereby disclose the following conflict(s) of interest with another position that I hold outside of WDB.

**Check All That Apply (provide details below)**

- ☐ I have no conflicts to disclose.
- ☐ I represent a private sector employer that has current business/contractual dealing with the WDB, or one or more of the One Stop Operators, Partners, or other WIOA funding Service Providers/Contractors.
- ☐ I have a family member(s) who is employed by a current or potential WIOA funded Service Provider/Contractor or by another organization that provides services directly to the WDB.
- ☐ I represent a WDB WIOA funded Service Provider/Contractor.
- ☐ I represent a One Stop Operator.
- ☐ I represent an AJCC Partner.
- ☐ Other

**Please provide details of the conflict:** \_\_\_\_\_

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For the reasons stated above, I promise and attest that I will hearby declare, before a vote or discussion on the matter, the nature and extent of the conflict. I will hereby voluntarily withhold from participating in any financial discussions pertaining to this matter and abstain from voting on the subject. I further understand that this shall not prohibit me from responding to any direct questions on the matter from other Members or from engaging in programmatic or operating discussions.

**Member Signature**

Signed: \_\_\_\_\_

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_



**WORKFORCE DEVELOPMENT BOARD**  
OF SOLANO COUNTY

**Conflict of Interest and Code of Conduct Policy**  
**Board/Committee Member**

I, \_\_\_\_\_, a Member of the Workforce Development Board (WDB) of Solano County, do hereby attest and affirm that I have read and understand the Conflict of Interest Policy and Code of Conduct duly adopted on January 17, 2020.

I also hereby declare and promise to carry out my responsibilities in relation to upholding the Conflict of Interest Policy and Code of Conduct during my term as a Board and/or Committee Member.

**Member Signature**

Signed: \_\_\_\_\_

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_



**WORKFORCE DEVELOPMENT BOARD**  
OF SOLANO COUNTY

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EMPLOYEE ACKNOWLEDGEMENT OF RECEIPT AND UNDERSTANDING FOR:  
CONFLICT OF INTEREST AND CODE OF CONDUCT POLICY  
(Issued January 17, 2020)

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The Workforce Development Board (WDB) of Solano County's Conflict of Interest and Code of Conduct Policy contains important information pertaining to my employment and duties at the WDB.

A copy of this policy has been given to me to retain for future reference, and I have been provided with the location on the Shared Drive for the policy where I can obtain an electronic copy.

Since the information and policies described in the policy are necessarily subject to change, I acknowledge that revisions to the policy may occur. All such changes will be communicated through official notices. I understand that revised information may supersede, modify, or eliminate existing policies.

I have received the Conflict of Interest and Code of Conduct Policy and I understand that it is my responsibility to read and comply with the information contained in this policy and any revisions made to it.

I understand that I should consult my supervisor if I have any questions about the information contained in the policy. I understand that failure to comply with the information contained in the policy could lead to disciplinary action or termination.

Employee's Name (printed): \_\_\_\_\_

Employee's Signature: \_\_\_\_\_ Date: \_\_\_\_\_



**WORKFORCE DEVELOPMENT BOARD**  
OF SOLANO COUNTY

## POLICY ISSUANCE

Date: March 18, 2022 Number: 2022-02

### FEDERAL MONITORING AND COMPLIANCE OVERSIGHT

#### INTRODUCTION

This policy describes the Solano County Workforce Development Board's, in partnership with the Solano County Board of Supervisors as the chief local elected official, compliance monitoring and oversight of its federally funded subrecipients and contractors, including those funded under the Workforce Innovation and Opportunity Act (WIOA) of 2014.

Any subrecipients receiving federal funding must comply with Office of Management and Budget's Uniform Guidance for applicable uniform cost principles as well as the uniform administrative requirements for grants and agreements applicable for the type of entity receiving the funds as outlined in 2 CFR Part 200 (for non-profit organizations, the applicable requirements are in Title 2 CFR Part 200.70). WIOA Final Rules additionally defines administrative and fiscal requirements in Title 20 CFR Section 683.200. Uniform Guidance also requires subrecipients to ensure that the procurement, receipt, and payment for goods and services received complies with federal and state laws, regulations, and subrecipient policies, as well as the provisions of contractors' contracts and agreements. California Employment Development Department (EDD) additionally requires local boards to conduct oversight and monitoring regarding compliance with nondiscrimination and equal opportunity requirements in contracts, job training plans, and policies and procedures.

Federal guidance and WIOA requires accountability at all levels of the workforce investment system. Monitoring is a process used to measure progress, identify areas of compliance, offer opportunities for technical assistance to help resolve non-compliance issues, and ensure that federal funds are used responsibly. Requirements for the monitoring and oversight of workforce programs are outlined in the Code of Federal Regulations (CFR) and Uniform Guidance, as well as in the WIOA Final Regulations. These provisions require that all recipients and subrecipients of federal funds must conduct regular oversight and monitoring to ensure compliance with applicable federal requirements and performance expectations.

#### QUESTIONS

Questions relating to this policy should be directed to Heather Henry, President/Executive Director, at [hhenry@solanowdb.org](mailto:hhenry@solanowdb.org) or at 707-863-3501.

## ATTACHMENTS

- Attachment A: Definitions
- Attachment B: WDB Firewall Organizational Chart

## POLICY

Each recipient and subrecipient of funds under Title I of WIOA are required to conduct regular oversight and monitoring of its WIOA programs and those of its subrecipients and contractor to:

- Determine that expenditures have been made against the proper cost categories and within the cost limitations specified in WIOA and the regulations;
- Determine whether there is compliance with other provisions of WIOA, the WIOA regulations, and other applicable laws and regulations;
- Assure compliance with 2 CFR Part 200 regarding federal fiscal and administrative requirements;
- Ensure recipients and subrecipients of WIOA Title I funding have an internal control structure and written policies in place that provide safeguards to protect personally identifiable information (PII), records, contracts, grant funds, equipment, sensitive information, tangible items, and other sensitive information, as well as protect against real or perceived conflicts of interest; and
- Determine compliance with the nondiscrimination, disability, and equal opportunity requirements of Section 188 of WIOA, including the Assistive Technology Act (ADA) of 1998 (29 USC 3003).

*Note: Contractors are not subject to the scope of monitoring for subrecipients, but the WDB will ensure compliance regarding contractor transactions and terms and conditions outlined within the contract.*

The WDB is committed to fostering a continuous improvement culture through transparency and collaboration that supports the success and accountability of WIOA funded activities, subrecipients, and contractors in maintaining compliance with applicable WIOA law, rules, and guidance. Continuous monitoring supports the early identification and rapid resolution of issues before they become entrenched or expand in scope. Monitors will use available information sources to assess risk for non-compliance or low performance, as well as identify trends that may indicate a need to develop and deliver technical assistance and training to address challenges. Continuous monitoring activities may include performance data review provided through the state's Management Information System (MIS); fiscal data review, such as drawdowns, single audit report, invoices; and qualitative data review, such as meeting minutes, information provided from partners, case notes, etc.

Formal and informal monitoring activities ensure:

- Programs and contractors achieve intended results and quality services;
- Technical assistance is provided on compliance as needed or requested;



- Identification of system-wide issues that require policy or program review and resolution;
- Identification of positive practices and sharing of those practices with others in the workforce development system;
- Impact assessment of workforce programs for customers within the workforce development area; and that
- Resources are efficiently and effectively used for authorized purposes and are protected from waste, fraud, and abuse.

WIOA regulations require the Local Board, in partnership with the Chief Local Elected Official (CLEO), conduct oversight of the WIOA programs and the America's Job Center of California (AJCC) to ensure the appropriate use and management of funds for workforce development activities and to maximize the performance outcomes, as well as to develop a monitoring plan for oversight. The Solano County Board of Supervisors, as the Chief Local Elected Official, and the Local Workforce Board, have delegated this oversight to the WDB. The WDB, on behalf of the Solano County Workforce Development Board, will conduct programmatic, fiscal, and administrative compliance monitoring at least annually.

For subrecipient funds awarded to the Regional Planning Unit (RPU), the WDB will, as applicable:

- Provide oversight and guidance to the region's selected Regional Organizer (RO) and Regional Training Coordinator (RTC); and
- Comply with state and federal regulations to safeguard regional, state, and federal funds allocated to the Local Area through RPU funding.

Subrecipients and contractors are required to permit the WDB, California EDD, DOL, or other authorized representatives to have access to records, financial statements, facilities, and participants.

#### Program Monitoring

The WDB will examine program participant files and the state's MIS records to:

- Ensure only eligible participants are enrolled and applicable eligibility documentation is collected and properly recorded;
- Ensure proper maintenance and content of participant records to include data validation requirements;
- Confirm appropriate and adequate case notes are documented ensuring continuity from time of application through completion of services;
- Verify all relevant participant data and services have been accurately and timely recorded into the state's MIS;
- Ensure programs and activities are effective in meeting the goals established in the four-year local plan;

- Verify that the training and work environment are for participants and staff members;
- Confirm compliance with the ADA and nondiscrimination and equal opportunity provisions of WIOA and other federal and state nondiscrimination laws;
- Ensure implementation of contractual service delivery model and performance; and
- Ensure that appropriate grant and program management policies and procedures as defined by WIOA are in place.

In addition, the WDB will conduct annual monitoring of Eligible Training Providers and On-the-Job Training (OJT) providers utilized to validate participants' data, ensure WIOA services were received as claimed by subrecipient, and verify compliance with ADA and nondiscrimination and equal opportunity requirements.

#### One-Stop Operator and AJCC Monitoring

The WDB will examine the AJCC facilities, activities, and the state's MIS records to:

- Ensure the one-stop operator's compliance with the requirements of WIOA, the activities per the SOW, performance reporting requirements, and the terms and conditions of the contract or agreement governing the one-stop operator;
- Facility compliance, including compliance with WIOA guidelines, ADA, and nondiscrimination laws and regulations; and
- Compliance with AJCC Memorandum of Understanding and Infrastructure Funding Agreement regulations.

#### Fiscal and Administrative Monitoring

Non-Federal entities must have sufficient financial management systems, including records documenting compliance with Federal statutes, regulations, and the terms and conditions of the Federal award to permit the preparation of reports required by general and program-specific terms and conditions; and the tracing of funds to a level of expenditures adequate to establish that such funds have been used in accordance to the Federal statutes, regulations, and the terms and conditions of the Federal award.

The WDB will examine administrative and financial management records to:

- Verify accurate, current, and complete disclosure of the financial results of each federal award or program in accordance with reporting requirements. (*Note: Subrecipients are not required to establish an accrual accounting system and are allowed to develop accrual data for its reports on the basis of an analysis of the documentation at hand.*);
- Ensure records contain information pertaining to federal awards, authorizations, financial obligations, unobligated balances, assets, expenditures, income, and interest and are supported by source documentation;
- Ensure internal controls are in compliance with federal, state, and local laws and regulations, including budgeting, cost allocation, accounting and payables, financial reporting, information systems, travel, cash management, procurement

and purchasing, property management, personnel and payroll, participant related payments, adequate separation of duties, and contracting and leasing;

- Ensure that the procurement, receipt, and payment for goods and services received complies with federal and state laws, regulations, and subrecipient policies, as well as the provisions of contractors' contracts;
- Confirm all WIOA-funded activities are reasonable, allowable, and necessary and that contract charges are allocated properly to appropriate cost categories;
- Verify effective control over, and accountability for, all assets and assure that they are used solely for authorized purposes; and
- Ensure appropriate financial and administrative policies and procedures are in place.

*Note: Single audit reports cannot take the place of an oversight or monitoring review.*

### INTERNAL FIREWALLS

According to WIOA regulations, any organization that has been selected or designated to perform more than one principal function within a local workforce investment system must develop a written agreement with the local Workforce Development Board and Chief Local Elected Official(s) to clarify how the organization will carry out its responsibilities while demonstrating compliance with WIOA and corresponding laws and regulations. In addition, any organization who performs more than principal function must have firewalls in place between staff providing services, staff responsible for oversight of service, and the Local Board.

The principal functions of the local workforce investment system and the entity responsible for that function are as follows:

- **Fiscal Agent** - the County of Solano serves as the Fiscal Agent and grant recipient for WIOA services. The County of Solano and the WDB have an agreement in place to delineate fiscal roles and responsibilities. WDB Fiscal Staff develop the budget for the Local Workforce Development Area under direction from the Board and the CLEO.
- **Provider of WIOA Adult and Dislocated Worker career services** – WDB Program Staff serve as the provider of WIOA Adult and Dislocated Worker career services.
- **Provider of WIOA Youth career services** – WDB Program Staff, as well as a contracted subrecipient, serve as the provider of WIOA Youth career services.
- **One-Stop Operation** – WDB AJCC Staff provides daily basic career service activities and contracts one-stop operation to a subrecipient.
- **Local Board Governance** – WDB Staff to the Board provides activities related to the organization of the Board; identification and selection of one-stop operator(s), providers of workforce investment activities, and providers of training services; negotiation of local performance accountability measures; negotiation of the local area MOU among one-stop system partners; development of a budget for the

Local Workforce Development Area; monitoring and oversight of all local WIOA Title I-B subrecipients; and the development of the local and regional plans.

WDB firewalls serve to separate organizational functions and staff reporting relationships between different staff functions that handle governance, policy, coordination, administration, monitoring, oversight, and program services. Firewalls are in place to ensure that monitoring and oversight staff does not have a reporting relationship with the Program or Fiscal staff that it monitors and can be seen in Attachment B.

The Executive Director is executive director of both the WDB program and fiscal activities and Staff to the Board. When overseeing policy, local board governance, and monitoring of subrecipients and program services, the Executive Director is performing functions of Staff to the Board. When overseeing program delivery, fiscal operations, and coordination, the Executive Director is performing functions of the WDB.

The Staff to the Board will annually present summary reports to the Board as follows:

- Programmatic monitoring of the Comprehensive and Affiliate AJCCs and the WDB WIOA Adult, Dislocated Worker, and Youth programs will be presented to the Planning and Oversight Committee.
- Programmatic monitoring of Eligible Training Providers and On-the-Job Training providers will be conducted by Program Staff and presented to the Planning and Oversight Committee.
- Programmatic, fiscal, and administrative monitoring of WIOA Youth subrecipients will be performed in partnership with the Program and Fiscal staff and presented to the Planning and Oversight Committee.
- Fiscal and Administrative monitoring of all internal WIOA Adult, Dislocated Worker, Youth, and AJCC programs will be presented annually to the Budget Committee.

### COMPLIANCE MONITORING REVIEW PROCESS

The WDB is required to conduct on-site fiscal and programmatic monitoring of all subrecipients at least annually. Monitoring of subrecipients and the AJCCs shall follow the subsequent standardized review methodology.

The compliance monitoring review process includes the following steps:

#### Notification of Monitoring

The subrecipient or AJCC/WIOA Title I program shall be notified and confirmed in writing of the scheduled monitoring/review visit at least four (4) weeks prior to the date of the visit. The formal notification letter shall include the following information:

- Date and duration of the review,
- Place of review,
- Purpose of review,
- Areas and materials to be reviewed,

- Documents to be completed and returned to monitoring team prior to visit with a return due date.

The request will also include a copy of the Compliance Monitoring Guide that the WDB will use to conduct the compliance monitoring review. The contract signatory will receive all formal notifications for subrecipients, and the appropriate department head will receive all formation notification for internal monitoring.

#### Desk Review

Upon receipt of the preliminary information and prior to the onsite compliance monitoring review, the WDB will conduct a desk review. The desk review will help identify potential items to be addressed during the onsite compliance monitoring review.

The desk review may consist of the following:

1. Contract Terms and Conditions
2. Statement of Work and Participant Plan
3. Review of Prior Monitoring Reports
4. Current Financial Data and Program Performance
5. Memorandum of Understanding
6. In-Kind Contributions
7. Organizational policies and procedures for administrative and program administration, procurement, and nondiscrimination and equal opportunity
8. Procurement Practices
9. Supportive Service Internal Controls for Pre-paid Negotiables

#### Onsite Compliance Monitoring Review

The on-site review will follow a standardized guide designed to assist the monitoring team in accomplishing a comprehensive evaluation. The process will include:

- **Entrance Conference** – To include an introduction of colleagues who may be participating in the monitoring review and give an overview of the scope of the review, as well as discuss any follow-up issues from past monitoring reviews.
- **Facility Review** – To include observation of the facility and activities provided to assess the adequacy as it relates to the accessibility of the site, activities, and programs by persons with disabilities, compliance with Americans with Disabilities Act (ADA), and determine if the center is a safe environment for customers and staff.
- **Review of Onsite Records** – To include validation of information obtained from desk review, participant files, review of how PII is protected, and review of internal controls.
- **Potential Interviews** – May include interviews with customers and/or employers to obtain information on the quality of services provided; may include interviews with randomly selected staff at various levels to obtain information on the administration and operations, verify knowledge of policies and procedures, etc.

- **Exit Conference** – During the exit conference, the monitor will disclose all issues that may be included in the draft report as their promising/best practices, potential findings, or concerns.

#### Draft Monitoring Report

The Staff to the Board will issue a draft monitoring report to the program or subrecipient within thirty (30) days after the exit conference. Noncompliance issues, as well as concerns that may be potential noncompliance issues, will be documented in the draft monitoring report. The draft monitoring report will identify any specific findings and provide a time period of thirty (30) calendar days to address the corrective action.

Areas of review outlined in the monitoring report will include:

- Summary of the monitoring process
- Summary of fiscal management, program management, and condition of facilities
- Review of previous monitoring findings, as appropriate
- Any findings that specify area of noncompliance, accompanied by a citation of the applicable federal, state, or local law, regulation, or policy, as well as a recommendation for corrective action
- Any concerns regarding observed conditions that could become areas of noncompliance or poor performance, accompanied by a suggestion for the program administrator's consideration to address concerns
- Any promising or best practices identified
- Monitoring disclaimer to include that the monitoring is based on a sample and should not be considered a comprehensive assessment of the program
- An attestation by the monitoring entity that it has examined compliance with the requirements of WIOA, the Uniform Guidance at 2 CFR part 200 and 2 CFR part 2900, and the terms and conditions of the contract.

If the results of a monitoring review disclose no areas of noncompliance and no concerns regarding observed conditions that could become areas of noncompliance or poor program performance, the WDB may issue a final report instead of a draft monitoring report.

#### Opportunity for Response

The subrecipient or program has three options in responding to the draft monitoring report:

1. If no areas of findings or concerns are identified in the monitoring report, no subrecipient response is required.
2. If the subrecipient agrees with the finding(s) or concern(s), the subrecipient should respond with the proposed correction action plan to resolve any findings, including the identification of the major tasks involved and the appropriate timelines for their implementation.

1. If the subrecipient or contractor disagrees with the recommendation(s), the subrecipient or program may provide information or documentation to substantiate the finding(s) or area(s) of concern in disagreement.

The program or subrecipient may request technical assistance in developing a correction action plan to resolve any findings.

#### Final Report

The WDB will issue a final monitoring report to the subrecipient within thirty (30) working days after the receipt of the response to the draft report.

The final report will differentiate:

- Findings that are resolved and closed
- Findings that are resolved and remain open until the WDB monitor can verify, during a future on-site monitoring visit, that the subrecipient has successfully implemented the corrective action plan as stated in their response.
- Findings that are not resolved, which may require the subrecipient to provide the WDB additional documentation and/or a corrective action plan.

#### Monitoring Follow-up

Depending on the nature of the monitoring results, the WDB may conduct a follow-up review to assess the progress made by the subrecipient or contractor resolving the identified areas of noncompliance.

A follow-up review may consist of the following activities:

- **Desk Review** – if the monitoring finding can be addressed through the submission of documentation, follow-up may be achieved through verification of back-up documentation submitted by subrecipient or program in response to a monitoring report finding.
- **Off-Cycle Visit** – if a corrective action is crucial to the operation of the program or requires immediate attention to resolve a problem involving questioned costs, a follow-up visit may be scheduled to confirm that corrective action has been implemented.
- **Review in Next Regular Monitoring** – if the corrective actions will require more time to implement or is of a less severe nature, the action will be followed-up during the next regular monitoring visit.

*Note: The defined monitoring review process does not limit the WDB's ability or responsibility to conduct on-site monitoring should an issue be identified through a continuous monitoring activity.*

#### **DOCUMENTATION**

Subrecipients and contractors of WIOA funding must retain all financial records, supporting documents, statistical records, and all other non-federal entity records

pertinent to a federal award for a period of three years from the date of submission of the financial reports for review by federal, state, or local officials.

WDB staff must maintain a complete monitoring log of all monitored entities and activities. The log must contain the date the review was conducted, type of review, period reviewed, staff conducting monitoring, date of draft and/or final report, findings, corrective action, location of working papers, and dates and number of attempts to subrecipient for not responding to draft and/or final report. The local area's compliance monitoring reports should be used as an assessment reference when developing future corrective action plans and for scheduled onsite monitoring reviews that may be required by authorized federal and state reviewers.

WDB staff are required to keep copies of their compliance monitoring efforts and reports on file for three years from the date of submission of the final expenditures report regarding the funding sources monitored. If any litigation, claim, negotiation, audit or other action involving the records has been started before the expiration of the three-year period, the records must be retained until all litigation, claims or audit finding involving the records have been resolved and final action taken.

## **DISCLAIMER**

This policy is based on WDB's interpretation of the statute, along with the Workforce Innovation and Opportunity Act; Uniform Guidance, Final Rule released by the U.S. Department of Labor and federal and state policies relating to WIOA implementation. This policy will be reviewed and updated based on any additional federal or state guidance.

## **REFERENCES**

### **Law**

- [Workforce Innovation and Opportunity Act of 2014 \(WIOA\).](#)

### **Federal Guidance**

- [Workforce Innovation and Opportunity Act Labor Only Final Rule](#): Title 20 CFR Section 200, 679.430 and 683.220
- [Office of Management and Budget's Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards \(Uniform Guidance\)](#), including Department of Labor exceptions outlined in 2 CFR part 2900
- Training and Employment Guidance Letter (TEGL) 03-15 – [Operating Guidance for the Workforce Innovation and Opportunity Act](#)
- TEGL 15-14 – [Implementation of the New Uniform Guidance Regulations](#)
- TEGL 15-16 – [Competitive Selection of One-Stop Operators](#)
- TEGL 19-16 – [Guidance on Services provided through the Adult and Dislocated Worker Programs under the Workforce Innovation and Opportunity Act \(WIOA\) and the Wagner-Peyser Act Employment Services \(ES\)](#)



- Department of Labor, Employment and Training Administration's [Core Monitoring Guide](#)

### **State Guidance**

- Workforce Services Directive (WSD) 17-05 – [Oversight and Monitoring of Nondiscrimination and EO Procedures](#)
- WSD 18-16 – [Guidance on Regional Awards](#)
- WSD Draft Directive – [Standards for Oversight and Instruction for Substate Monitoring](#)

### **Approved by**

Workforce Development Board of Solano County and the County of Solano Board of Supervisors

## Definitions

**Finding** – a violation of a specific compliance requirement contained in law, regulations, national policies, Uniform Guidance, grant terms and conditions, WIOA policy guidance, and/or grant agreement. Findings may include non-compliance issues, questioned costs, and/or disallowed costs. A citation is readily available outlining the requirement and corrective action is required to resolve the finding.

**Area of Concern** – a potential issue, challenge, or situation is identified that does not yet violate one of the regulations or policies, but left unchecked could elevate to a finding or, at a minimum, negatively impact outcomes. Reports typically include a recommendation to address the situation at hand and do not require corrective action.

**Best Practice** – a strategy, approach, process, or product in one or more key areas of implementation: governance, administration, service design and delivery, etc. that is sufficiently effective and/or innovative to warrant highlighting in the report.

**Contractor** – as defined in Uniform Guidance Section 200.22 – ... Contractor characteristics include the following criteria:

1. Provides the goods and services within normal business operations.
2. Provides similar goods or services to many different purchasers.
3. Provides good or services that are supplementary to the operation of the federal program.
4. Not subject to compliance requirements of the federal program.
5. Provides good and services for the grant recipient's own use, creating a procurement relationship.
6. Funded by a procurement contract.

**Corrective Action Plan (CAP)** – A list of specific steps that subrecipients must take within a stated period of time in order to achieve compliance.

**Non-Federal Entity** – as defined in Uniform Guidance Section 2900.2 – A state, local government, Indian tribe, institution of higher education, for-profit entity, foreign public entity, foreign organization, or non-profit organization that carries out a federal award as a recipient of subrecipient.

**Subrecipient** – as defined in Uniform Guidance Section 200.93 – a non-federal entity that expends federal awards received from a pass-through entity to carry out a federal program. Subrecipient characteristics include the following criteria:

1. Determines who is eligible to receive what federal assistance.
2. Performance is measured by whether objectives of a federal program are met.
3. Has responsibility for programmatic decision making.
4. Responsible for adhering to applicable federal program requirements.
5. Uses federal funds to carry out a program for a public purpose.
6. Funded by a subaward.

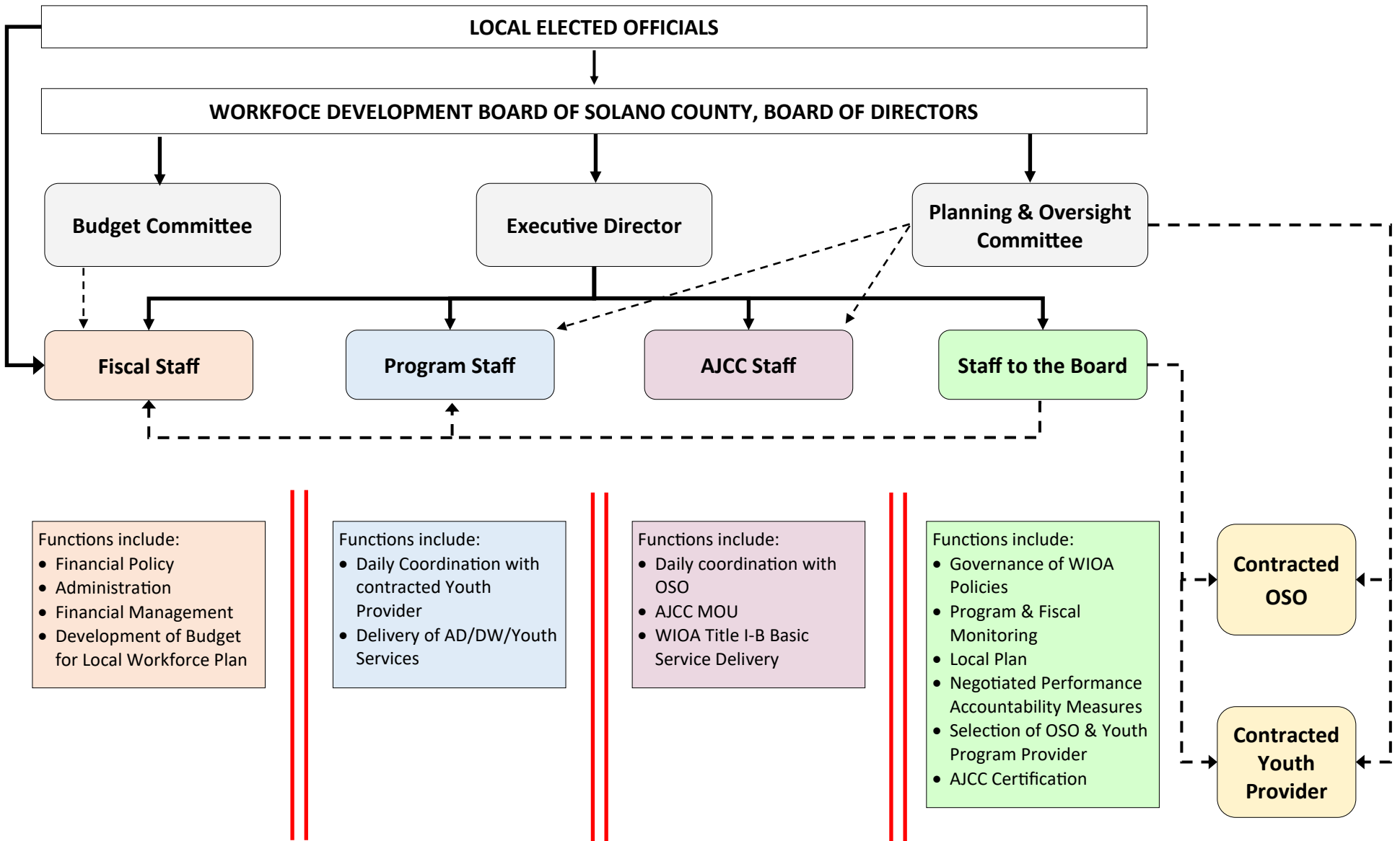
**Questioned Cost** – a cost that is questioned by the monitoring as being unallowable, un-allocable, or unreasonable. Questioned costs are costs:

- That resulted from a violation or possible violation of a statute, regulation, or the terms and conditions of a federal or state award, including for funds used to match federal funds (unallowable);
- Where the costs, at the time of the monitoring visit, are not supported by adequate documentation (un-allocable); or
- Where the costs incurred appear unreasonable and do not reflect the actions a prudent person would take in the circumstances (unreasonable).

**Internal Controls** – as defined in 2 CFR 200.61 and 200.62 – means a process, implemented by a non-Federal entity, designed to provide reasonable assurance regarding the achievement of objectives in the following categories:

- Effectiveness and efficiency of operations;
- Reliability of reporting for internal and external use;
- Compliance with applicable laws and regulations;
- Transactions are properly recorded and accounted for, in order to:
  - Permit the preparation of reliable financial statements and Federal reports;
  - Maintain accountability over assets; and
  - Demonstrate compliance with Federal statutes, regulations, and the terms and conditions of the Federal award;
- Transactions are executed in compliance with:
  - Federal statutes, regulations, and the terms and conditions of the Federal award that could have a direct and material effect on a Federal program; and
  - Any other Federal statutes and regulations that are identified in the Compliance Supplement; and
- Funds, property, and other assets are safeguarded against loss from unauthorized use or disposition.

# Attachment B: WDB Firewall Organizational Chart





## **WORKFORCE DEVELOPMENT BOARD**

OF SOLANO COUNTY

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### **EMPLOYEE ACKNOWLEDGEMENT OF RECEIPT AND UNDERSTANDING FOR: FEDERAL MONITORING AND COMPLIANCE OVERSIGHT**

(Issued March 18, 2022)

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Since the information and policies described in the policy are necessarily subject to change, I acknowledge that revisions to the policy may occur. All such changes will be communicated through official notices. I understand that revised information may supersede, modify, or eliminate existing policies.

I have received the Federal Monitoring and Compliance Oversight and I understand that it is my responsibility to read and comply with the information contained in this policy and any revisions made to it.

I understand that I should consult my supervisor if I have any questions about the information contained in the policy. I understand that failure to comply with the information contained in the policy could lead to disciplinary action or termination.

Employee's Name (printed): \_\_\_\_\_

Employee's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**MINUTES  
BOARD OF DIRECTORS MEETING  
March 23, 2023**

**I. Call to Order**

Board Vice Chair, Chris Churchill, called the meeting to order at 8:31 a.m. Quorum was established.

**Members Present:** Chris Churchill, Kelli Courson, Shannon Dodds, Tiffany Donahue, Gerald Huber, Chris Huxsoll, Melvinia King, Sabrina Martin, Thomas Stuebner, David Tam

**Members Absent:** Danny Bernardini, Suzanne Castano, Mark DeWeerd, Mary Dugbartey, Celia Esposito-Noy, Mario Giuliani, Fadi Halabi, Tim Healer, Viola Lujan, Stephen Reese, and Jon Riley

**Staff Present:** Heather Henry, Tammy Gallentine, Marion Aiken, Michael Pryor, Tracy White, April Ziomek-Portillo, Nel Sweet-Davis, Matt Moon-Bailey, Cynthia Seals-Roper, and Vankeesha Frank.

**Guests/General Public:** Mrs. Barbara Aiken, Megan Richards, Erica Waterford, Holly Brown

**II. Introductions**

Ms. Henry announced and welcomed Mr. Huxsoll as the newest member of the Board of Directors. Mr. Huxsoll gave a brief introduction of his background and the organization he represents of Polaris Pharmaceuticals.

**III. Agenda Changes/Deletions**

There were no agenda changes/deletions.

**IV. Public Comment**

There were no public comments.

**V. Consent Calendar**

**A. Approval of January 20, 2023, Meeting Minutes**

**MOTION #1**

**A motion was made and seconded to approve the Consent Calendar.  
(Huber/King) MOTION PASSED UNANIMOUSLY**

**VI. Presentation**

**A. Honoring Marion Aiken, Workforce Services Director, for 30 Years of Service**

In honor of Mr. Aiken's time of service, Ms. Henry thanked Mr. Aiken for his dedication to the organization and announced the Chadbourne Conference Room would be changed to the Marion Aiken Conference Room in dedication of his tenure. A photo was unveiled, hanging in the conference room, as part of the dedication. Mr. Aiken thanked all in attendance for the dedication and gave a brief presentation of his time with the organization.

**VI. Informational Reports**

**B. Board Chair**

Board Vice Chair, Mr. Churchill, announced that Board Chair, Mr. Halabi, is intending to retire as Board Chair, at which point an election will need to be held to appoint a new Chair. In the interim, the Vice Chair is being educated on Board Chair duties. An announcement was also made that Mr. Riley would be retiring and has recommended Mr. Glenn Loveall to replace him as a member of the Board. Mr. Loveall's membership application will be coming to the Board at the May meeting for approval. Six Flags is interested in returning to the Board as a member. Staff is working with them to identify the best person to hold the membership. Their application will be presented at the May or July meeting. The Conflict of Interest forms will need to be renewed in May. There will be a policy change to remove the Form 700 requirement for Board

members, which will be coming to the Board in May. Finally, Ms. Henry's evaluation will be coming to the Board at the May meeting. A survey to evaluate Ms. Henry's performance will be emailed to board members in April.

## **B. Committee Chairs**

Mr. Churchill stated the Executive Committee met on February 9, 2023 where four contracts were approved. Four ARPA projects approved included two Culturally Competent Business Advising, the Community Workforce Grantee Technical Assistance and the Outreach and Recruitment Campaign.

Ms. King gave a recap of the Planning & Oversight Committee meeting held on February 28, 2023. The committee reviewed a change to the Supportive Service policy based on the findings of the state monitoring. Also reviewed was the application to be a career services provider which is part of the agenda for the March Board meeting. The committee also discussed sector strategies and industry-based training.

The Budget Committee did not have any updates as the scheduled meeting was canceled due to weather and quorum. The mid-year expenditures and budget modification will be presented directly to the full Board as part of this agenda.

## **C. President/Executive Director Report**

Ms. Henry announced there has been a lot of work with ARPA projects. The WDB's Navigator has visited the Fairfield-Suisun Adult School particularly to the English Language Learner (ELL) students for a night session for medical fair outreach to support English language learners into healthcare to offer wrap around support. Staff have been working together to build a partnership between Employability Specialists in Job Seeker Services and training providers. Training providers, on the state's Eligible Training Provider List (ETPL), have been coming in to give presentations to staff to better understand the process to become eligible for their training, as well as build the provider's understanding of WDB's processes.

Staff are in the process of closing out the Solano Micro-enterprise grant, Napa micro-enterprise grant and Vallejo's ARPA funded small business grant. Napa's is fully closed. Staff were able to provide grants for 54 businesses. The first round of the Solano grant finished with 92 businesses receiving the grants. SBDC and Business Services are starting their second round and have over 100 applications for the second round. For Vallejo, there were 82 grants given. SBDC received a grant from Napa that has been named the Leaf Blower Grant. As the state moves to electric and getting away from gas and fossil fuel powered equipment, there is an effort in Napa to help support the move to electric powered landscaping equipment. The state is putting in a 70% rebate for small businesses purchases while the City of Napa will cover the remaining 30%.

So far there have been 66 individuals enrolled in our first ARPA project. While staff is tracking all data within ARPA, it has been found that the Agency Defined Program is not the same as the standard WIOA tracking. California Human Development (CHD) as a grantee familiar with the data system has been assisting in uncovering those challenges. ARPA's Community Workforce Grantees have started their programs. TAD Grants will be providing technical assistance for these grantees. Training for the Food Program Certification is underway which will include the required Sexual Harassment Training, for those that successfully complete the certification. Restaurants with five (5) or more employees must have at least one person on the floor who has a certification as well as the sexual harassment training.

SBDC launched the Solano Success project which is the accelerator for small businesses. Seventeen (17) completed and have now received a \$4,000 microgrant as a result of completing the training. At the end of the training, each business had to put together a pitch of their business

plan or business growth and present it to the class. The project will hold two additional sessions. There is a waiting list to join the program.

While WIOA programs have struggled, the AJCC is becoming busier. There has been a big outreach push and staff are starting to see the positive results of this. Staff have been able to put more people in training starting in the January semester. WDB's average placement wage continues to be high with an average of \$25.86 per hour for Adult and Dislocated Workers, \$20.19 per hour for Youth, and \$34.75 per hour for NDWG COVID (dislocated workers who had been laid off due to COVID).

#### **D. Reports**

There was no discussion on this item.

### **VIII. Action Items**

#### **A. Review and Approval of the Prison to Employment 2.0 Contracts with Sonoma Workforce Investment Board for an amount not to exceed \$128,226 and with the Workforce Alliance of the North Bay for an amount to exceed \$161,427 for the period of April 1, 2023, through December 31, 2025; Give President/Executive Director Signature Authority, and Make Administrative Changes, as Needed**

Ms. Henry gave a brief overview of agenda item VIII.A, which was included as part of the agenda package and incorporated herein and noted that these contracts are being presented to the Board due to timing. These contracts cover the Solano, Napa, Marin, Sonoma, and Lake counties. The Solano WDB is acting as fiscal agent.

#### **MOTION #2**

**A motion was made and seconded to approve the Prison to Employment 2.0 contracts as presented; give President/Executive Director signature authority, and make administrative changes, as needed.**

**(Huber/King) MOTION PASSED UNANIMOUSLY**

#### **B. Review and Approve of the Regional Equity and Recovery Partnerships Contracts with Sonoma Workforce Investment Board for an amount not to exceed \$370,000 and with the Workforce Alliance of the North Bay for an amount not to exceed \$370,000 for the period of April 1, 2023 through September 30, 2025; give President/Executive Director Authority to Finalize and Sign the Approved Contracts, and Make Administrative Changes, as needed.**

Ms. Henry gave a brief overview of agenda item VIII.B, which was included as part of the agenda package and incorporated herein and noted that these contracts are being presented to the Board due to timing. Ms. Henry noted the funding, out of the state's ARPA budget, is going to regional board and community colleges. The WDB is working with Solano Community College partnership as part of the grant. The region received \$1.5 million in funding and will be dedicated to training within the region as well as the regional organizer. Solano County will be focusing on advanced manufacturing.

#### **MOTION #3**

**A motion was made and seconded to approve the Regional Equity and Recovery Partnerships Contracts, as presented; give President/Executive Director signature authority, and make administrative changes, as needed.**

**(King/Huxsoll) MOTION PASSED UNANIMOUSLY**

#### **C. Review and Approval of the Final Workforce Innovation and Opportunity Act (WIOA) North Bay Regional and Solano County WIOA Local Plan Modifications and Give Chairperson Signature Authority**



Ms. Henry gave a brief presentation of agenda item VIII.C, which was included as part of the agenda package and incorporated herein, highlighting the modifications made to both plans. Modifications are focused on populations most impacted by COVID and most vulnerable to disparate economic impacts. The WDB modifications include recovery workforce strategies.

**MOTION #4**

**A motion was made and seconded to approve the final WIOA North Bay Regional and Solano County WIOA Local Plan Modifications and give Chairperson signature authority.  
(Stuebner/Courson) MOTION PASSED UNANIMOUSLY**

**D. Review and Approval to Submit Request to Operate WIOA Career Services to the State**

Ms. Henry gave a brief presentation of agenda item VIII.D, which was included as part of the agenda package and incorporated herein, noting that most workforce boards contract these services out. It is important for WDB to continue offering direct services allows staff to blend the functions of administrative and program more effectively.

**MOTION #5**

**A motion was made and seconded for staff to submit a request to operate WIOA Career Services.  
(King/Courson) MOTION PASSED UNANIMOUSLY**

**E. Review and Acceptance of Mid-Year Expenditures through December 31, 2022**

Mr. Pryor gave a detailed overview of agenda item VIII.E, which was included as part of the agenda package and incorporated herein, providing a breakdown of the status of programs and a forecast of future expenditures. Ms. Henry added that ARPA expenditures are a bit delayed and will be reflected in the next fiscal year.

**MOTION #6**

**A motion was made and seconded to accept the Mid-Year Expenditures through December 31, 2022 as presented.  
(King/Courson) MOTION PASSED UNANIMOUSLY**

**F. Review and Approval of the Second Modification to the Fiscal Year 2022-23 Budget**

Ms. Henry gave a brief overview of agenda item VIII.F, which was included as part of the agenda package and incorporated herein, noting that the preliminary budget will come to the Board in May and the first modification to the budget will be presented in September. If there are major changes to the budget in the spring, a second modification will be presented. Ms. Henry added that overall, the presented second budget modification represents a decrease of 15% from the first modification, which is about \$1.5 million. About \$1.2 million of this is ARPA funding. Outside of ARPA funding, the modification represents normal adjustments.

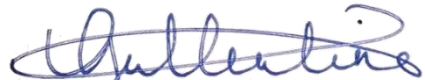
**MOTION #7**

**A motion was made and seconded to approve the second modification to the Fiscal Year 2022-23 Budget as presented.  
(Stuebner/Huxsoll) MOTION PASSED UNANIMOUSLY**

**IX. Adjournment**

The meeting was adjourned at 10:32 a.m.

Respectfully submitted by:



Tammy Gallentine, Executive & Board Support Specialist