



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Department of Labor and Training

Center General Complex
1511 Pontiac Avenue
Cranston, RI 02920

Telephone: (401) 462-8000
TDD: (401) 462-8006

Donald L. Carcieri
Governor
Adelita S. Orefice
Director

WORKFORCE INVESTMENT NOTICE: 05-05

Workforce Investment Act

TO: Workforce Investment Areas

FROM: John J. O'Hare, Administrator – Workforce Investment Office

SUBJECT: WIA Administrative and Fiscal Requirement; Sanctions (Section 184 WIA)

DATE: February 14, 2006

PURPOSE: This issuance supercedes WIN Notice 00-03 and WIN Notice 00-03, change No. 1.

Be advised that Section 184 of the WIA Act requires that each State establish such fiscal control and fund accounting procedures as may be necessary to assure the proper disbursement of, and accounting for, Federal funds allocated to local areas. Such procedures shall ensure that all financial transactions carried out under Subtitle B of the WIA Act are conducted and records maintained in accordance with generally accepted accounting principles applicable to each State.

POLICY: Each State (including the Governor of the State), local area (including the chief elected official of the local area), and providers receiving funds under this title, shall comply with the applicable Circulars and Regulations of the Office of Management and Budget for the type of entity receiving Federal WIA funds. Nothing in this policy shall preclude the entity that is receiving federal funds from adopting new policies and procedures or utilizing existing policies and procedures provided they are at least as restrictive as the Federal Circulars and Regulations. The SWIO, therefore, prescribes the following administrative and fiscal requirements as State Policy.

◆ **Fiscal/Administrative Requirements**

Cross Reference of Administrative Requirements

Requirement	State/Local Government	Nonprofit Organizations	Institutions of Higher Education	Commercial Organizations
Audit	29 CFR Part 99	29 CFR Part 99	29 CFR Part 99	20 CFR 667.200 (b) (ii) (WIA Regulations)
Audit Resolution	29 CFR Part 96	29 CFR Part 96	29 CFR Part 96	20 CFR 667.500 et. seq. (WIA Regulations)
Cost Principles	A-87	A-122	A-21	48 CFR Part 31
Allowable Costs	A-87	A-122	A-21	48 CFR Part 31
Uniform Administrative Requirements	29 CFR Part 97	29 CFR Part 95	29 CFR Part 95	29 CFR Part 95
Lobbying Restrictions	29 CFR Part 93	29 CFR Part 93	29 CFR Part 93	29 CFR Part 93
Suspension and Debarment	29 CFR Part 98	29 CFR Part 98	29 CFR Part 98	29 CFR Part 98
Drug-Free Workplace	29 CFR Part 98	29 CFR Part 98	29 CFR Part 98	29 CFR Part 98

- ◆ **Additional Administrative Requirement**. --- Procurement transactions under this title between local boards and units of State or local governments shall be conducted only on a cost-reimbursable basis.
- ◆ **Monitoring**.--- The State will conduct on an annual basis on-site monitoring of each local area within the State to ensure compliance with the uniform administrative requirements. In addition, the local Workforce Investment Boards shall conduct on a semi-annual basis both internal and on-site monitoring to ensure compliance with the uniform administrative requirements. The Workforce Development Boards will forward a copy of the monitoring report to the SWIO along with documented corrective action.
- ◆ **Action by the Governor**.--- If the Governor determines that a local area is not in compliance with the uniform administrative requirements, he shall:

- (A) require corrective action to secure prompt compliance; and
- (B) impose the sanctions provided under Section 184 in the event of failure to take the required corrective action.

REFERENCES: Workforce Investment Act of 1998 (Public Law 105-220); and WIA Final Rules and Regulations (20 CFR Part 652, et al). In addition, the links have been provided to access the appropriate Regulations and OMB Circulars as amended.

29 CFR Part 99 (A-133) <http://www.whitehouse.gov/OMB/circulars/a133/a133.html>
29 CFR Part 96 http://www.access.gpo.gov/nara/cfr/waisidx_98/29cfr96_98.html
29 CFR Part 97 http://www.access.gpo.gov/nara/cfr/waisidx_98/29cfr97_98.html
29 CFR Part 95 http://www.access.gpo.gov/nara/cfr/waisidx_98/29cfr95_98.html
29 CFR Part 93 http://www.access.gpo.gov/nara/cfr/waisidx_98/29cfr93_98.html
29 CFR Part 98 http://www.access.gpo.gov/nara/cfr/waisidx_98/29cfr98_98.html
48 CFR Part 31 http://www.access.gpo.gov/nara/cfr/waisidx_98/48cfr31_98.html
OMB Circular A-21 <http://www.whitehouse.gov/OMB/circulars/a021/a021.html>
OMB Circular A-87 <http://www.whitehouse.gov/OMB/circulars/a087/a087-all.html>
OMB Circular A-122 <http://www.whitehouse.gov/OMB/circulars/a122/a122.html>

ACTION: This information should be provided to all appropriate WIB Board members/staff, subrecipients and vendors.

INQUIRIES: Any other questions concerning this letter series should be directed to me at 462-8782 or by e-mail at (johare@dlt.state.ri.us) or to Bob Garofano at 462-8149 or by e-mail at (bgarofano@dlt.state.ri.us).

Equal Opportunity Employer/Program

Auxiliary aids and services are available upon request
to individuals with disabilities