

South Central Iowa Firewall and Separation of Duties Policy

Approved Date: September 28, 2021

Effective Date: September 28, 2021

Background

The purpose of this policy is to provide guidance in the commitment of the South Central Iowa Local Workforce Development Board to the highest level of system integrity and the appropriate oversight of IowaWORKS centers in order to comply with federal, state, and local laws and regulations. In addition, the purpose of the policy is to establish a "firewall" –

in order to prevent actual, potential, or questionable conflicts of interest and provides clear separation of duties and responsibilities.

Functions of the Fiscal Agent, Board Staff, One-Stop Operator, and Service Providers

Per Chapter 1 Administration and Governance Section 1.4.6.1: To ensure conflict of interest is minimized, no single organization or entity may perform multiple roles within the one-stop delivery system, including fiscal agent, one-stop operator, direct provider of career services and/or youth workforce investment activities, and/or staff to the board. However, a single organization or entity may perform the roles of both the one-stop operator and direct provider of career services and/or youth workforce investment activities. Proper firewalls must be in place to ensure a complete separation of duties. Firewalls must also be in place to ensure the transparency and integrity of staff fulfilling multiple roles and multiple functions. Organizations performing the functions of one-stop operator and direct provider of career services and/or youth workforce investment activities must have adequate organizational separation between and among those functions; separate staff must perform the duties of each function.

Fiscal Agent Role

The Chief Elected Officials designates the fiscal agent.

Per 20 CFR§679.420 - In general the fiscal agent is responsible for the following functions:

1. Receive funds.
2. Ensure sustained fiscal integrity and accountability for expenditures of funds in accordance with Office of Management and Budget circulars, WIOA and the corresponding Federal Regulations and State policies.
3. Respond to audit financial findings.
4. Maintain proper accounting records and adequate documentation.
5. Prepare financial reports.
6. Provide technical assistance to Subrecipients regarding fiscal issues.

Board Staff Role

The local workforce development board establishes a set of qualifications for the position of director that ensures the individual selected has the requisite knowledge, skills, and abilities to meet identified benchmarks and to assist in carrying out the functions of the local workforce development board.

1. Local workforce development board staff may only assist the local board in fulfilling the required functions as stated in the law see WIOA section 107(d).
2. The local workforce development board shall, through board staff, monitor and oversee the activities of the IowaWORKS Centers in all respects to ensure proper usage of WIOA funds; procure contracts or obtain written agreements for Title I service providers and One Stop Operator.

3. Program monitoring of subcontractors will be conducted by the local workforce development board staff and results will be presented to the local workforce development board and chief elected officials.

4. As an administrative entity, board staff shall not provide any services directly to job seekers or employers – those functions are the sole responsibility of the subcontractor staff and merit staff at the IowaWORKS Centers.

5. The local workforce development board staff exist in an organization separate and distinct from the organization that acts as the One Stop Operator and/or staffing service provider.

One-Stop Operator Role

The primary role of a one-stop operator is coordinating service delivery among the partners in the one-stop system. Local workforce development boards may establish additional roles for the one-stop operator. At a minimum, the local board must ensure that, in carrying out this role, the one-stop operator must:

1. Coordinate the service delivery of required one-stop partners and service providers;
2. In coordinating services and serving as a one-stop operator, refrain from establishing practices that create disincentives to providing services to individuals with barriers to employment who may require longer-term services, such as intensive employment, training, and education services;
3. Disclose any potential conflicts of interest arising from the relationships of the one-stop operator with particular training service providers or other service providers, including but not limited to, career services providers; and
4. Comply with Federal regulations, and procurement policies, relating to the calculation and use of profits.

One-stop operators may not perform the following functions:

1. Convene system stakeholders to assist in the development of the local plan
2. Prepare and submit local plans
3. Be responsible for oversight of itself
4. Manage or significantly participate in the competitive selection process for one-stop operators
5. Select or terminate one-stop operators, career service providers, and youth providers
6. Negotiate local performance accountability measures
7. Develop and submit budgets for activities of the local workforce development board

Title I Service Provider Role

Title I, Dislocated Worker and Adult Services Provider will recruit, provide orientation, conduct comprehensive assessments, screening and determine WIOA eligibility for a minimum number of eligible participants to be enrolled and ensure that participants are on track to achieve program outcomes as outlined in WIOA.

The role of the Title I Adult and Dislocated Worker Services Provider includes the following:

1. Providing basic career services including but not limited to participant intake, orientations, initial assessments, employment services, and referrals to other partners and services.
2. Providing individualized career services including but not limited to comprehensive and specialized assessments, case management, individual employment plans, training, and career planning.
3. Reporting to the local workforce development board on operations, performance and continuous improvement recommendations
4. Adhere to all applicable federal and state guidance

The role of the Title I Youth Service Providers responsibilities include:

1. Provide at least one of the 14 program elements for initial enrollment / participation into the WIOA Youth services program.
2. Make available, but are not required to provide all 14 elements to each youth participant. Each youth is to receive all services directly relevant to his/her needs.
3. Local area youth service providers have the flexibility to determine what specific services a youth will receive based upon the youth's assessment and service strategy.
4. Engage youth in allowable activities in order to meet the areas of evaluation for program/contract accountability as established by the local workforce development board.

Firewalls

The following firewalls are established within the South Central Iowa Workforce Development Area:

1. Ensure that conflict of interest and/or financial disclosure forms are up-to-date for all members and individuals involved in more than one role, function or procurement action.
2. Review and update, if needed, firewall and conflict of interest policies when new procurement actions arise.
3. Separation of duties is enforced from all areas of the local workforce system by the board staff and reviewed by the South Central Local Workforce Development Board.