



LOS ANGELES COUNTY

WIA Adult and Dislocated Worker and Youth DIRECTIVE

Number: LACOD-WIAD08-5

Subject: INCIDENT REPORTING

Date: 1/10/08

Effective Date: On date of issue

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TO: WORKFORCE DEVELOPMENT COMMUNITY

ACTION: WorkSource Centers and other programs and projects funded by the County of Los Angeles with WIA funds are required to report criminal activity and non-criminal complaints and establish, document, and implement internal management procedures to detect and prevent criminal activity.

References:

- State of California, EDD WIA Directive Number: WIAD01-03
- Title 20 Code of Federal Regulations (CFR) Sections 667.505 and 667.630

Purpose:

This directive informs all County WIA Service Providers that they are required to report criminal fraud, criminal abuse or other criminal activity committed by staff, contractors, or program participants and non-criminal complaints, such as mismanagement and waste of funds, to the County of Los Angeles WIA WorkSource Office, The Compliance Review Division (CRD) of the Employment Development Department (EDD) and to the Department of Labor's (DOL) Office of Inspector General (OIG).

Within one workday of detecting an incident, a written incident report must be submitted on the attached form or similar document containing the requested information. Submit Incident reports to:

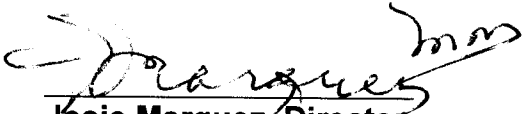
- Jackie Lynn Sakane, Program Manager
Los Angeles County
Department of Community and Senior Services
3175 West Sixth Street, Los Angeles, CA 90020-1708
- Attention: Compliance Resolution Unit
Compliance Review Division, MIC 22M
Employment Development Department
P.O. Box 826880
Sacramento, CA 94280-0001
(916) 653-3270

- Office of Inspector General
United States Department of Labor
200 Constitution Avenue, N.W., Room S-5506
Washington, D.C. 20210
1-800-347-3756
(202) 693-5210 fax

Policy and Procedures

County of Los Angeles WIA Service Providers are to establish internal program management procedures to prevent and detect fraud, abuse and criminal activity. The EDD WIA Directive Number: WIAD02-3 (attached) provides information on the procedures that WIA providers are to follow. The County of Los Angeles will monitor to ensure providers comply with these County and State directives and Federal requirements.

Questions concerning this policy are to be forwarded to Jackie Lynn Sakane at (213) 739-7321.


Josie Marquez, Director
Workforce and Community Services
Attachments

INCIDENT REPORT

<p>1. Type of report (check one)</p> <p><input type="checkbox"/> Initial <input type="checkbox"/> Supplemental <input type="checkbox"/> Final <input type="checkbox"/> Other <i>[specify]</i></p>	<p>2. Type of incident (check one)</p> <p><input type="checkbox"/> Conduct violation <input type="checkbox"/> Criminal violation <input type="checkbox"/> Program violation</p>
<p>3. Allegation against (check one)</p> <p><input type="checkbox"/> Contractor <input type="checkbox"/> Program Participant <input type="checkbox"/> Other <i>[(specify), give name and position of employee(s), list telephone number, Social Security Account number, if applicable, and other identifying data.]</i></p>	
<p>4. Location of incident <i>[give complete name(s) and addresses of organizations(s) involved]</i></p>	
<p>5. Date and time of incident/discovery <i>[date, time]</i></p>	
<p>6. Source of complaint (check one)</p> <p><input type="checkbox"/> Audit <input type="checkbox"/> Contractor <input type="checkbox"/> Program Participant <input type="checkbox"/> Public <input type="checkbox"/> Investigative Law Enforcement Agency <i>[(specify)]</i> <input type="checkbox"/> Other <i>[(specify), give name and telephone number so additional information can be obtained.]</i></p>	
<p>7. Contacts with law enforcement agencies <i>[specify name(s) and agency contacted and results]</i></p>	
<p>8. Persons who can provide additional information <i>[(include custodian of records) name, position or job title, employment, local address (street, city and state) or organization, if employed and telephone number]</i></p>	
<p>9. Details of incident <i>[describe the incident]</i></p>	

Glossary of Terms

The federal definitions that follow are provided for use as a guide in the identification of fraud, abuse, and other criminal activity. Since the definitions cannot address every possible activity, questions as to whether an activity is reportable under this policy should be referred to your assigned Workforce Investment Division Regional Advisor for clarification and guidance.

Fraud is any deceitful act or omission, or willful device used with the intent to obtain some unjust advantage for one party, or to cause an inconvenience or loss to another party. Types of fraud include embezzlement, forgery, theft, solicitation and receipt of bribes (kickbacks), and falsification of records and claims regarding trainees (e.g., knowingly enrolling ineligible participants). Criminal fraud is a type of larceny and is punishable under both federal and California law as a felony. Civil fraud is subject to tort actions under civil laws.

Misapplication of Funds is defined as any use of funds, assets, or property not authorized or provided for in the grant or contract. This category includes, but is not limited to, nepotism, political patronage, use of participants for political activity, intentional services to ineligible enrollees, conflict of interest, failure to report income derived from federal funds, violation of contract provisions, maintenance of effort violations, and the use of the Workforce Investment Act (WIA) funds for other than WIA purposes.

Gross Mismanagement is defined as actions, or situations arising out of management ineptitude or oversight, which lead to a major violation of contract provisions and/or which severely hamper accomplishment of program goals. These include situations, which lead to waste of government resources and put into serious jeopardy future support for a particular project. This category includes, but is not limited to, unauditable records, unsupported costs, highly inaccurate fiscal and/or program reports, payroll discrepancies, payroll deductions not paid to the Internal Revenue Service or the State of California, and the lack of internal control procedures.

Employee/Participant Misconduct should be considered as actions occurring during or outside work hours, that reflect negatively on the program or its purpose, and may include, but are not limited to, conflict of interest involving outside employment, business and professional activities, and the receipt or giving of gifts, fees, entertainment, and favors; misuse of federal property; misuse of official information; and other activities that might adversely affect the confidence of the public regarding the integrity of government.

Standard of Conduct Violations are violations of terms and conditions stipulated in the subgrant agreement. The relevant stipulations in the subgrant agreement are General Assurances, Employment of Former State Employees, Conducting Business Involving Relatives, Conducting Business Involving Close Personal Friends and Associates, Avoidance of Conflict of Economic Interest, and Maintenance of Effort.