



# Workforce Issuance

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☒ Policy ☐ Information

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**To:** MassHire Workforce Board Chairs  
MassHire Workforce Board Directors  
MassHire Career Center Directors  
MassHire Fiscal Officers  
MDCS Operations Managers

**cc:** WIOA State Partners

**From:** Diane Hurley, Acting Director  
MassHire Department of Career Services

**Date:** November 12, 2024

**Subject:** **MassHire Department of Career Services Field Management and Oversight Fiscal Year 2025 Monitoring Review of the MassHire Workforce Boards**

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**Purpose:** To notify the local MassHire Workforce Boards (MWBs) of monitoring for Fiscal Year 2025 (FY25) and to provide the Commonwealth's related policy for monitoring provisions and respective responsibilities of the local Boards, sub-recipients, and contract service providers.

**Background:** The Executive Office of Labor Workforce Development (EOLWD) MassHire Department of Career Services (MDCS) is the designated State Workforce Agency (SWA) responsible for oversight of the Massachusetts Workforce Development System.

As such, MDCS must monitor the activities of MassHire Workforce Boards and Career Centers funded under the Workforce Innovation and Opportunity Act (WIOA), the Wagner Peyser Act and other state and federal awards operating through the workforce system to assure compliance with applicable federal and state requirements and performance expectations. Monitoring by the MDCS must cover each program, function, or activity (2 CFR 200.328).

To ensure the integrity of local programmatic and fiscal systems, MDCS

monitors program and fiscal performance of local areas on an annual basis to ensure compliance with all local, state and federal policies, procedures and regulations that govern the grants operated through the MassHire system.

**Policy:** The MassHire Department of Career Services Field Management and Oversight Unit will conduct the FY25 Annual Monitoring Reviews for every MassHire workforce area in accordance with all related state and federal policies, procedures and regulations that govern the grants operated through the MassHire system.

While MWBs are required to complete annual monitoring by the end of each fiscal year, MWBs must follow the timeline and activity deadlines outlined in their monitoring policies and SOPs once the CC monitoring begins. *MDCS will review the local area monitoring policy/timelines when conducting the annual review to ensure compliance.*

**Action**

**Required:** MassHire Workforce Boards and Fiscal/Administrative Entities must have documented internal policies in place to ensure compliance with federal and state program and fiscal monitoring activities. MassHire Workforce Boards must also assure that all appropriate workforce board and career center staff and management are notified of the upcoming monitoring dates, activities, and requirements for the FY25 review(s). MDCS Field Management and Oversight (FMO) Program Coordinators will reach out directly to their assigned areas with the FY25 monitoring schedule.

**Effective:** Immediately

**References:** Workforce Innovation and Opportunity Act section 184(a) (4)  
20 CFR 683.410  
2 CFR 200  
2 CFR 2900

**Inquiries:** Please direct all inquiries to [PolicyQA@mass.gov](mailto:PolicyQA@mass.gov) ; please indicate Issuance number and description

**Attachments:**

- A. FY25 MDCS Program Elements
- B. FY25 Career Center Program Questionnaire
- C. FY25 Customer Program File Review
- D. FY25 Youth Customer Program File Review
- E. FY25 American with Disabilities Act Compliance/EEO/Complaint
- F. FY25 Language Access Assessment (LEP)
- G. FY25 Veterans Caseload Data Analysis Sheet (VCDAS)
- H. FY25 Required Poster List <https://www.mass.gov/info-details/ajc-posters>
- Ha. FY25 Required Posters (fillable)
- Hb. FY25 Required Poster (printable)
- I. FY25 Significant Barriers to Employment (SBE) Checklist
- J. FY25 Officer List

- Ka. FY25 Initial RESEA Review Checklist (fillable)
- Kb. FY25 Initial RESEA Review Checklist (printable)
- La. FY25 RESEA Review Checklist (fillable)
- Lb. FY25 RESEA Review Checklist (printable)
- Ma. FY25 CCS Checklist (fillable)
- Mb. FY25 CCS Checklist(printable)
- N. FY25 Workforce Board Questionnaire

## **Compliance Monitoring Elements:**

### ***I. Customer File Review (of all applicable programs)***

1. MDCS will examine customer files for timeliness, accuracy, and compliance from the following programs: Title I Adult, Dislocated Worker, Youth\*, Jobs for Veterans State Grants (JVSG), Trade Adjustment Assistance (TAA), Migrant and Seasonal Farmworkers (MSFW) and Reemployment Services and Eligibility Assessment (RESEA) from the appropriate fiscal year. Files of customers who have been exited during the appropriate fiscal year may be reviewed as part of the sample.

*\*MWBs that provide framework services for Youth in their region cannot monitor the Youth files for annual monitoring. For these areas, MDCS is responsible for monitoring the Youth files in the annual monitoring of the MWB.*

### ***II. Program Monitoring:***

1. Will be conducted at least one time per program year and preceded by a notification to the respective Workforce Board Management at least *two weeks* in advance of the monitoring review.
2. Will include inspection of programs and review of compliance for physical locations used by staff/customers to ensure adherence to local, state, and federal accessibility and American with Disabilities Act (ADA) policies.
3. Will include a review of all Elements listed in this policy (also see attachments) and required MDCS questionnaires, surveys, tools and attachments within this policy completed by the local MWB/MWB designee.
4. May include interviews of MWB and Career Center management/staff, partners, jobseeker, and business customers. MDCS will communicate directly with MWBs to discuss monitoring schedule information. MWBs must also communicate directly with Career Center management and other stakeholders to provide monitoring schedule information to avoid disruption to any service.

### ***III. Program Performance and Compliance Monitoring includes but is not limited to:***

1. Program operation and compliance
2. Performance measurements
3. Review of intake and referral processes; including partner collaboration
4. Review of customer flow
5. Review of the eligibility determination process
6. Review of Educational assessment tools
7. Review of vocational and on-the-job training programs, work experience and credential attainment

8. Record keeping and file maintenance
9. Data recording and reporting, including data integrity and quality
10. Local Policies and procedures

**IV. Compliance monitoring of program administration and management practices includes, but is not limited to:**

1. Review of non-discrimination/Equal Employment Opportunity (EEO) compliance, ADA compliance, policies, and procedures
2. Local area Management practices and integration with the Career Center Management/staff

**V. Exit Interview/meeting**

MDCS will conduct a formal Exit Interview/meeting with the MassHire Workforce Board and interested parties at the conclusion of the monitoring review to discuss the results of the review. The Exit Interview/meeting will be held within thirty working days of completing the review of all monitoring elements.

**VI. Report(s)**

A written report will be sent to the MassHire Workforce Board within thirty working days of completion of the Exit Interview/meeting. The MassHire Workforce Board will be given no less than thirty working days to resolve and/or explain the Findings and/or (if applicable) Areas of Concern in writing outlining the results of the review. Corrective Action progress will continue at the direction of MDCS and, as applicable, the MWB, until all findings have been resolved.

**VII. Areas of Concern/Observation & Findings of Non-Compliance**

***Areas of Concern/Observation:***

If an indicator is not met and the Reviewer believes that it could lead to a future Finding or have an adverse result if not addressed, an Area of Concern or Observation is identified. These are not specific compliance violations and, as a general practice, *no corrective action is specified or required but may instead include guidance and/or suggestions for improvement.*

***Finding(s) of Non-Compliance:***

A *Finding* is a violation of a specific compliance requirement contained in law, regulations, national policies, FOA, Uniform Guidance or OMB Circulars, the grant terms and conditions, ETA policy guidance, including Training and Employment Guidance Letters (TEGLs) or Training and Employment Notices (TEN), and/or the grant agreement *that requires specific corrective action.*

If, as result of compliance and performance monitoring or otherwise, MDCS has determined that non-compliance and/or a violation of provisions of law, regulations, policies, FOA, Uniform Guidance or OMB Circulars, the grant terms and conditions, ETA policy guidance, including Training and Employment Guidance Letters (TEGLs) + as above exists, MDCS will require corrective action(s) to secure prompt compliance.

*For additional guidance, please refer to related local, state, and federal policies and see below.*

▪ **Corrective Action**

In the event that the performance of a MassHire Workforce Board (MWB)/region is below minimum standards, a corrective action plan will be developed by MDCS and/or the MWB to improve their performance. MDCS will follow-up with performance monitoring to determine if the deficiency has been corrected. If the MWB/region is deemed to be in compliance with the corrective action plan, a letter will be sent to the MWB advising that the corrective action goals have been met.

If the MWB/region fails to correct the deficiency, the MWB/region will receive written notice that the program is to be placed on probation. The notice will indicate the effective date of the probation and the duration of the probation. The probationary period will not be less than thirty days or more than ninety days.

The MassHire Workforce Board/region will be notified in writing five days before the probation period expires of one of the following:

- The probation will be terminated
- The program will be terminated
- The probation will be extended for a period not to exceed 90 days.

**High Risk Service Provider:** A high-risk service provider determination may be made by MDCS where:

- Monitoring activities discover disallowed costs
- When a service provider fails to attain a minimum WIOA Performance Measures
- Service provider action results in negative public relations
- Additional criteria may be established for data validation

*High-risk service providers* may be monitored quarterly until such a time as MDCS determines that the identified issues have been resolved satisfactorily, and that systems and procedures have been adapted appropriately to MDCS' satisfaction. MDCS may initiate a full program review each quarter and desktop reviews monthly.

▪ **Appeals**

1. A MassHire Workforce Board/region who is dissatisfied by an MDCS determination to impose a sanction(s) or corrective action (s) may file a written appeal as indicated in this section.
2. Grounds for appeals:
  - a) findings of non-compliance
  - b) disallowed costs
3. Any MassHire Workforce Board interested in filing an appeal must exhaust the remedies provided in this policy prior to seeking additional relief at a different venue.
4. A MassHire Workforce Board who fails to exhaust the administrative remedies provided in this policy waives its rights to file an appeal.

5. Appeals made under this section, with respect to findings of non-compliance, shall be made no later than 30 days after receipt of monitoring report.
6. Appeals made under this section, with respect to disallowed costs, shall be made no later than 30 days after receipt of final disallowed costs letter from MDCS
7. The written appeal shall state the following:
  - a) MassHire Workforce Board name, address, contact information;
  - b) The imposed sanction(s) that constitute the basis for the appeal;
  - c) Support documentation to support and/or validate the basis of the appeal;
  - d) Form of relief requested.
8. The written appeal shall be directed to the Executive Director of MDCS
9. MDCS will issue a determination no later than thirty (30) business days after receipt of the appeal.