


<b>Northeastern Workforce Development Board (NWDB)</b> <b>General Policies and Procedures</b> <b>INCIDENT REPORTING</b>	
<b>Policy 001</b>	<b>EFFECTIVE DATE: 8/15/2016</b> <i>Revised:</i>
<b>Approved by: NWDB - Executive Director</b>	

**PURPOSE:** Federal regulations require the Northeastern Workforce Development Board (NWDB) to file an Incident Report (IR) whenever any alleged unauthorized use of Workforce Innovation and Opportunity (WIOA) funds occurs. The NWDB is required to report immediately to the U.S. Department of Labor (DOL) Office of the Inspector General (OIG) the information and complaints involving criminal fraud, waste, abuse, or other criminal activity and a copy sent simultaneously to DOL’s ETA Region One within one (1) working day of discovery of the occurrence. This information must be placed on a DOL Form DL 1-156.

**BACKGROUND:** The United States Department of Labor considers the detection and prevention of fraud and abuse within its authorized programs to be of the highest priority. Therefore, implementing and communicating systematic procedures for reporting instances of suspected or actual fraud, abuse or criminal conduct are vital. States, local governments and grantees may become aware of actual, potential or suspected fraud; gross mismanagement or misuse of program funds; conduct violations; violations of regulations; and, abuse in ETA programs and operations provided by ETA grantees. This policy sets forth the procedures that NWDB must follow for notifying the appropriate Administrators of known or suspected cases of criminal and other illegal or improper activities involving grantees and other recipients or subrecipients of Federal funds from ETA.

**PROCEDURES TO BE USED FOR INCIDENT REPORTING OF FRAUD, WASTE AND ABUSE:**

**NWDB Responsibilities:**

1. The NWDB must **immediately** document allegations, suspicions and complaints involving possible fraud, program abuse and criminal misconduct in compliance with USDOL guidelines, on the Incident Reporting Form (IR) [Attachment A] Allegations shall be reported to the OIG and, within ETA, to the Office of Financial and Administrative Management (OFAM) and the Office of Regional Management.
  
2. The NWDB will utilize The Incident Report (IR) form, Office of Inspector General (OIG) 1-156, as the official form for reporting allegations of criminal and other illegal or improper activities in ETA funded programs (ATTACHMENT B). Incidents reported using the IR form may involve allegations of fraud, misfeasance, nonfeasance or malfeasance; allegations involving misapplication of funds; allegations of gross mismanagement; allegations of employee/participant misconduct; and, other potential or suspected criminal actions.

3. NWDB will immediately report emergencies to the OIG and OFAM by telephone and follow up with a written report in the form of an IR, no later than one working day after the telephone report. Situations involving imminent health or safety concerns, or the imminent loss of funds exceeding an amount larger than \$50,000 (e.g. \$500,000), are considered to be emergencies and shall be handled in that manner.
4. NWDB must be familiar with the content of TEGL 2-12 and follow the procedures set for documenting, immediately reporting to the OIG, and following-up on instances of alleged, suspected or known fraud, program abuse and criminal misconduct involving grantees and other recipients or subrecipients of Federal funds from ETA.

**USDOL/OIG/OFAM/ETA Responsibilities:**

1. Receipt of IR from NWDB: When the OIG receives an IR, they determine whether the allegations have merit and, when appropriate, conduct or arrange for an investigation and/or audit. If the OIG determines that the case does not have investigative or audit merit, the case is referred back to ETA for resolution.
2. Hotline Referrals: The OIG operates a Hotline to receive and process allegations of fraud, waste and abuse concerning Department grants programs and operations. Allegations received directly through the Hotline, and written complaints from the public pertaining to ETA, are referred by the OIG to OFAM, when appropriate. OFAM must screen and record all Hotline referrals from the OIG pertaining to ETA and send the referrals to the appropriate Regional Administrator, Office of Apprenticeship Regional Director or National Office Administrator (RA/RD/NOA) for action. The RA/RD/NOA must send OFAM an initial response to all hotline referrals no later than two weeks after receiving the referral, and must continue to provide updates in the quarterly tracking report until the complaint is closed and a final response sent to OFAM. No action of any kind will be taken against the complainant for providing information in accordance with these procedures.
3. Complainants may remain anonymous. If a complainant considers that his/her position will be compromised by reporting information through the IR system, he/she may send the report directly to the OIG or OFAM. No action will be taken against any complainant for disclosing information concerning criminal or improper activities or making a valid complaint to proper authorities.

**NWDB and State Auditor Responsibilities:**

NWDB will submit a copy of the IR Form to the State of Maine Auditor by web-based report form, email, fax, USPS, or a combination of methods, within one working day of notification to the OIG. The Office of the Maine State Auditor will not take anonymous complaints, but is authorized to keep identity confidential under Maine law.

The State Auditor is responsible for reporting the nature of the complaint and other facts to the Governor. In addition to notifying the Governor, the Auditor will:

- Conduct an initial review to determine if adequate facts indicate that fraud has occurred
- Open a formal investigation if sufficient evidence indicates fraud or illegal acts in our jurisdiction, which is State financial and program compliance with civil laws
- Review the financial implications of a complaint about significant waste of State resources
- Report the nature of each complaint and other facts to the Governor

- Post a Report to the Governor on Maine.gov web site
- Publish a semiannual report on the number of complaints, number referred, and current status of each complaint on Maine.gov web site
- Refer criminal matters to the Attorney General or local District Attorney as appropriate
- Refer concerns about poor performance or inefficiencies to the Legislative Office of Program Efficiency and Government Accountability

### **References.**

- TEGL 2-12
- Workforce Investment Act of 1998, as amended (Pub. L. 105-220);
- 20 CFR 667.500, “What procedures apply to the resolution of findings arising from audits, investigations, monitoring and oversight reviews”;
- 20 CFR 667.630, “How are complaints and reports of criminal fraud and abuse addressed under WIA”;
- 29 CFR Part 0, “Ethics and Conduct of Department of Labor Employees”; and
- Employment and Training Order No. 1-10, *Employment and Training Procedures for Reporting and Acting on Instances of Suspected Fraud, Program Abuse, and Criminal Conduct Involving Grantees and Contractors.*

### **ATTACHMENTS**

- Attachment A - Contact Information for The Office Of Inspector General (OIG) and Maine State Auditor
- Attachment B –Incident Report Form OIG 1-15 Special Instructions
- Attachment C- Incident Report Form OIG 1-1

## **ATTACHMENT A**

### **CONTACT INFORMATION FOR THE OFFICE OF INSPECTOR GENERAL (OIG)**

#### **Main Address and Phone Number**

Office of Inspector General  
200 Constitution Avenue, NW  
Room S-5502  
Washington, DC 20210  
Telephone: (202) 693-5100

#### **OIG Complaints Analysis Office (Hotline)**

200 Constitution Avenue, NW  
Room S-5506  
Washington, DC 20210  
Telephone: (202) 693-6999 or 1-800-347-3756

#### **Office of Audit**

Assistant Inspector General  
200 Constitution Avenue, NW  
Room S-5512  
Washington, D.C. 20210  
Telephone: (202) 693-5170

#### **Office of Labor Racketeering and Fraud Investigations**

Assistant Inspector General  
200 Constitution Avenue, NW  
Room S-5014  
Washington, DC 20210  
Telephone: (202) 693-7034

#### **Office of Legal Services**

Counsel to the Inspector General  
200 Constitution Avenue, NW  
Room S-5506  
Washington, DC 20210  
Telephone: (202) 693-5116

#### **Office of Inspections and Special Investigations**

Assistant Inspector General  
200 Constitution Avenue, NW  
Room S-5021  
Washington, DC 20210  
Telephone: (202) 693-5124

#### **Maine State Auditor**

Maine State Auditor  
66 State House Station  
Augusta, ME 04333-0066  
TELEPHONE: (207) 624-6250 FAX: (207) 624-6273  
Email: [fraud.audit@maine.gov](mailto:fraud.audit@maine.gov)

## **ATTACHMENT B**

### **INCIDENT REPORT FORM OIG 1-15**

The Incident Report Form OIG 1-15 may be accessed online through a link provided by USDOL-ETA within TEGL 2-12. The form may be printed or completed electronically. A copy of the form has been included for reference as **ATTACHMENT C**.

To access the form on US DOL-ETA website, [www.doleta.gov](http://www.doleta.gov) . You may use the direct link below:

[http://wdr.doleta.gov/directives/attach/TEGL/TEGL\\_2\\_12\\_att\\_c.pdf](http://wdr.doleta.gov/directives/attach/TEGL/TEGL_2_12_att_c.pdf)

