



## SAN JOAQUIN COUNTY WORKNET EMPLOYMENT AND ECONOMIC DEVELOPMENT DEPARTMENT POLICIES AND PROCEDURES DIRECTIVE

DIRECTIVE NO.	EFFECTIVE DATE	APPLICABILITY	PAGE
25-18	January 15, 2026	GMD, CMD, EMD, FMD	1 of 12
SUBJECT:		<b>OVERSIGHT AND MONITORING</b>	

### I. PURPOSE

The purpose of this directive is to provide guidance and establish the procedures for oversight of the San Joaquin County Employment and Economic Development Department's (EEDD) monitoring responsibilities regarding Workforce Innovation and Opportunity Act (WIOA) programs and other Workforce Development Board (WDB) funded programs. This directive provides standard instruction for subrecipient and contractor monitoring that applies to all WDB Providers of Workforce Innovation and Opportunity Act (WIOA) Title I activities and services.

The standards within this directive apply to all WIOA and WDB funded subrecipients and contractors.

### II. GENERAL INFORMATION

Section 107(d)(8) of the [Workforce Innovation and Opportunity Act \(WIOA\)](#) requires the Local Workforce Development Board (LWDB), in partnership with the local Chief Elected Official (CEO), to conduct oversight of WIOA programs and the America's Job Center of California (AJCC) system within the Local Area. This oversight is intended to ensure the appropriate use and management of funds for workforce development activities and to support continuous improvement and maximization of program performance outcomes.

[WIOA](#) Sections 184(a)(2)(A) and 184(a)(3)(A) require that each state, Local Area, local CEO, and any recipient or provider receiving funds under WIOA Title I comply with the applicable uniform administrative requirements and cost principles for federal grants and agreements. These requirements are established in the Office of Management and Budget's Uniform Guidance and apply based on the type of entity receiving the funds.

[Title 20 Code of Federal Regulations \(CFR\) Section 683.200](#) establishes the general fiscal and administrative rules governing the use of WIOA Title I funds. Under this section, entities receiving WIOA Title I funds must comply with the Uniform Guidance at [Title 2 CFR Part 200](#), as well as any U.S. Department of Labor (DOL) exceptions codified at [Title 2 CFR Part 2900](#), as applicable to their organizational structure. [Section 683.200](#) also incorporates the cost principles set forth in [Subpart E and Appendices III through IX of Title 2 CFR Part 200](#), which define allowable and allocable costs.

Oversight and monitoring responsibilities are further detailed in Title [20 CFR Sections 683.400](#) and [683.410](#). [Section 683.400](#) requires subrecipients to continuously monitor grant-supported activities in accordance with the Uniform Guidance. [Section 683.410\(a\)](#) requires each recipient and subrecipient to conduct regular oversight and monitoring of its own WIOA activities, as well as those of its subrecipients and contractors. The purpose of these requirements is to ensure that expenditures are properly charged, cost limitations are observed, and activities are carried out in compliance with WIOA, its implementing regulations, the Uniform Guidance, and other applicable federal and state laws and regulations.

[Uniform Guidance Section 200.501\(g\)](#) requires subrecipients to ensure that the procurement, receipt, and payment for goods and services comply with federal and state laws, regulations, subrecipient policies, and the terms and conditions of contracts and agreements. State-level guidance, including [WSD 17-08, Procurement of Equipment and Related Services](#), provides combined federal and state requirements governing procurement activities. [WSD 17-01, Nondiscrimination and Equal Opportunity Procedures](#), establishes requirements related to nondiscrimination and equal opportunity in contracts, job training plans, and related policies and procedures. [Title 20 CFR Section 683.410\(b\)](#) authorizes the Governor to issue additional requirements and instructions to subrecipients regarding monitoring activities.

[WSD 24-11, Oversight and Monitoring Standards for Substate Entities](#), provides state-level guidance regarding oversight, monitoring, internal controls, and conflict-of-interest safeguards applicable to WIOA subrecipients. [WSD 24-11](#) specifically addresses the requirement for subrecipients to establish firewalls when performing multiple functions to prevent actual or perceived conflicts of interest. While [WSD 24-11](#)'s firewall requirements are directed at subrecipients, the directive reinforces the broader federal expectation that oversight and service delivery functions be conducted with appropriate independence and objectivity.

Consistent with these federal and state requirements, [TEGL 15-16](#) emphasizes the importance of preventing actual or perceived conflicts of interest within the one-stop delivery system. [TEGL 15-16](#) requires that written standards of conduct address how firewalls are established and maintained to ensure independence and objectivity when an entity performs more than one role. This includes, but is not limited to, situations in which an entity serves in both oversight and service delivery capacities within the one-stop system. Firewalls are intended to ensure that

decision-making, oversight, and performance evaluation functions are carried out impartially and without undue influence.

This directive supersedes PPD 24-14, Oversight and Monitoring, dated September 1, 2024.

### Definitions

**America's Job Center of California (AJCC):** The common identifier used within California for One-Stop centers, the One-Stop system, and access points to WIOA affiliated programs and services.

**Area of Concern or Observation:** If an effectiveness indicator is not met and the reviewer believes that it may possibly result in a finding at some later point if not addressed, an area of concern or observation is identified. Areas of concern or observation are not specific compliance violations but may negatively impact the program or could lead to a finding in the future. A corrective action may not be specified or required for an area of concern or observation but may include suggestions for improvement.

**Contract:** A legal instrument by which a non-federal entity purchases property or services needed to carry out the project or program under a federal award. The term as used in this part does not include a legal instrument, even if the non-federal entity considers it a contract when the substance of the transaction meets the definition of a federal award or subaward. (Uniform Guidance Section 200.22)

**Contract Manager:** The contract manager is the authorized representative responsible for administering a contract and monitoring the contractor's performance. The contract manager serves as a liaison with the contractor and may perform administrative tasks ranging from the request of contract services through the performance and final payment for completed services ([DGS State Contracting Manual Chapter 9](#)). Within EEDD, this role is performed by the assigned EEDD Analyst III.

**Contractor:** An entity that receives a contract as defined in [Uniform Guidance Section 200.22](#). ([Uniform Guidance Section 200.23](#))

**Corrective Action Plan (CAP):** A list of specific steps that subrecipients must take within a stated period to achieve compliance.

**Finding:** A violation of a specific compliance requirement contained in laws, regulations, federal or state policies, Uniform Guidance, DOL Exceptions, grant terms and conditions, Employment and Training Administration (ETA) policy guidance, including Training and Employment Guidance Letters (TEGL), and/or the grant agreements that requires specific corrective action. Findings are also known as, but not limited to, non-compliance issues, questioned costs, and/or disallowed costs.

**Firewall:** Structural separation of duties to prevent conflicts of interest and maintain independent oversight.

**Monitoring:** The monitoring review is an oversight activity that may lead to opportunities for technical assistance and/or corrective action. For ETA's purpose, a monitoring review is a process used to measure progress, identify areas of compliance, offer opportunities for technical assistance to help resolve non-compliance issues, and ensure that federal funds are used responsibly.

**Non-Federal Entity:** A state, local government, Indian tribe, institution of higher education, for-profit entity, foreign public entity, foreign organization, or nonprofit organization that carries out a federal award as a recipient or subrecipient. ([Uniform Guidance DOL Exceptions Section 2900.2](#))

**Oversight:** Performed by subrecipients in various ways such as on-site monitoring, risk assessment, desk reviews, and analysis of performance and financial reports.

**Recipient:** A non-federal entity that receives a federal award directly from a federal awarding agency to carry out an activity under a federal program. The term recipient does not include subrecipients. ([Uniform Guidance Section 200.86](#))

**Regional Fiscal Agent:** A non-federal entity designated by the State of California to carry out a federal award as a subrecipient. The Regional Fiscal Agent allocates funds to partner Local Boards and other organizations within a Regional Planning Unit.

**Regional Planning Unit:** Regions of the state determined by the Governor, with input from local CEOs and Local Boards, which represent the regional labor market and are responsible for developing and implementing Regional Plans.

**Separation of Duties:** No one person should have sole control over the lifespan of a transaction. All organizations should separate functional responsibilities to ensure that mistakes, intentional or unintentional, cannot be made without being discovered by another person.

**Subaward:** An award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a federal award received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a federal program. A subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract. ([Uniform Guidance Section 200.92](#))

**Subrecipient:** A non-federal entity that expends federal awards received from a pass-through entity to carry out a federal program but does not include an individual that is a beneficiary of such a program. A subrecipient may also be a recipient of other federal awards directly from a federal awarding agency. ([Uniform Guidance Section 200.93](#))

**Vendor:** The term “vendor” has been replaced with the term “contractor” as defined at Uniform Guidance Section 200.23, in which, a contractor is an entity that receives a contract as defined in [Uniform Guidance Section 200.22](#).

**WIOA Administrative Entity:** A unit of local government, corporation, or agency designated by a Chief Elected Official (CEO) to oversee and administer WIOA programs and activities in the Local Area. ([20 CFR 678.400](#))

### References

- [Workforce Innovation and Opportunity Act \(WIOA\)](#), Sections 107, 108, 129, 184
- Title 20 Code of Federal Regulations (CFR) [§679.430](#), [§ 683.200](#), [§ 683.400](#), [§ 683.410](#), [683.430](#)
- [Title 2 CFR Part 200](#), Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
- [Title 2 CFR Part 2900](#)
- [TEGL 15-16](#), One-Stop Operators
- [TEGL39-11](#), Guidance on the Handling and Protection of Personally Identifiable Information (PII)
- [WSD 17-01](#), Nondiscrimination and Equal Opportunity Procedures
- [WSD 17-05](#), Oversight and Monitoring of Nondiscrimination and EO Procedures
- [WSD 17-08](#), Procurement of Equipment and Related Services
- [WSD17-01](#), Nondiscrimination and Equal Opportunity Procedures
- [WSD18-16](#), Guidance on Regional Awards
- [WSD21-03](#), Eligible Training Provider List (ETPL) Policy and Procedures
- [WSD 24-11](#), Oversight and Monitoring Standards for Substate Entities

### III. POLICY

It is the policy of the EEDD to ensure independent and objective oversight of all programmatic and fiscal operations. Regular monitoring activities are conducted to verify compliance with all applicable federal, state, and County laws, regulations, and guidance. The EEDD maintains clear firewalls and separation of duties between program management, fiscal oversight, and monitoring functions to prevent conflicts of interest and preserve the integrity of its oversight activities.

#### **Subrecipient and Contractor Determinations**

In accordance with [2 CFR 200.330](#) (Subrecipient and Contractor Determinations), a non-federal entity may concurrently receive federal awards as a recipient, subrecipient, or contractor, depending on the substance of each agreement. The EEDD, as a pass-through entity, must make case-by-case determinations to establish whether each agreement for the disbursement of federal program funds constitutes a subaward or a procurement contract. Determinations shall be based on the nature of the relationship and not solely on the terminology used in the

agreement. As the federal awarding agency, EEDD may issue additional guidance to support these determinations, provided such guidance does not conflict with federal regulations.

a. Subrecipient Classification

An entity is generally classified as a subrecipient when it:

1. Determines who is eligible to receive what type of federal assistance;
2. Has its performance measured against the objectives of the federal program;
3. Exercises responsibility for programmatic decision-making;
4. Is responsible for adhering to applicable federal program requirements;
5. Uses federal funds to carry out a program for a public purpose, rather than providing goods or services to the pass-through entity; and
6. Receives funding through a subaward.

b. Contractor Classification

An entity is generally classified as a contractor when it:

1. Provides goods or services within normal business operations;
2. Offers similar goods or services to many different purchasers;
3. Provides goods or services that are ancillary to the operation of the federal program;
4. Is not subject to the compliance requirements of the federal program;
5. Provides goods or services for the use of the grant recipient, creating a procurement relationship; and
6. Receives funding through a procurement contract.

### **Grants Management Division (GMD) Responsibilities**

The Grants Management Division (GMD) is responsible for fiscal oversight, monitoring, and ensuring compliance for all subrecipients and contractors receiving WIOA funds. GMD conducts periodic financial and programmatic reviews to verify that expenditures are allowable, properly documented, and compliant with federal, state, and County requirements. The division also reviews and updates policy directives as needed to ensure continued compliance with applicable laws

and guidance. GMD operates independently from program management and does not perform direct service delivery. Oversight activities include conducting site visits, reviewing reports, and issuing corrective action plans (CAPs). GMD staff must maintain independence from the entities they monitor to preserve objectivity, accountability, and integrity in all oversight functions.

### **Separation of Duties and Firewalls**

EEDD maintains strict role separation to prevent staff from performing conflicting functions that could compromise oversight. Firewalls are enforced between fiscal oversight, program operations, and monitoring staff, including restricted system access and independent reporting lines. Any exceptions to these dual-role restrictions require approval from the Executive Director and must include documented mitigation measures. Additionally, all staff are required to disclose potential conflicts of interest and ensure that such conflicts do not compromise the integrity of monitoring and oversight activities.

## **IV. PROCEDURE**

### **Standards for EEDD Oversight**

EEDD, in partnership with the San Joaquin County Board of Supervisors (SJCBOS), must oversee activities funded under WIOA Title I conducted under the local plan established pursuant to [WIOA](#) Section 108. The monitoring and oversight must be consistent with the requirements stated in WIOA, relevant federal and state regulations, and state directives/policies. EEDD must determine whether monitoring will be conducted independently, jointly, or delegated to an appropriate entity.

The Grants Management Division oversees the monitoring activities of EEDD, including but not limited to the following activities:

1. Coordination of the scheduling of local, State, and federal monitoring activities with all Department Operational and Administrative Divisions.
2. Coordinate the review and the completion of all monitoring instruments sent by the respective cognizant agencies including, but not limited to, the following agencies:
  - a. U.S. Department of Labor
  - b. State Employment Development Department
  - c. Local County Departments
  - d. Coordination of all entrance and exit conferences with the respective monitoring entities and EEDD staff.
  - e. Facilitate the completion of all responses to monitoring reports and the coordination of all corrective action.

The monitoring must include the following:

1. On-site fiscal and programmatic monitoring of all subrecipients must occur annually and at least once each program year unless an alternative approach is documented and justified according to uniform guidance. If Federal, State, or local orders prohibit on-site monitoring, alternative remote monitoring will take place. [Title 2 CFR 200.332](#) (b) directs pass-through entities to evaluate each subrecipient's risk of noncompliance with Federal statutes, regulations, and the terms and conditions of the subaward for the purpose of determining the appropriate subrecipient monitoring, which may include consideration of such factors as the following:
  - a. The subrecipient's prior experience.
  - b. The results of previous audit findings.
  - c. Whether the subrecipient has new personnel or new or substantially changed systems.
  - d. The extent and results of Federal awarding agency monitoring.

The evaluation of each subrecipient's risk of noncompliance should be fully documented and readily available upon request.

2. Where WIOA administrative entities are parties to agreements that service multiple Local Area jurisdictions, the affected areas must coordinate and jointly establish procedures for monitoring multiple Local Area subrecipients.
3. In instances where Regional Planning Units receive regional awards and one Local Board is the Regional Fiscal Agent and in a subgrant with the EDD, that Regional Fiscal Agent must monitor their subrecipients.
4. Maintain a complete monitoring log of all monitored entities (the log must contain the date review was conducted, type of review, period reviewed, monitor, date of draft and/or final report, findings, corrective action, location of working papers, and dates and number of attempts to contact subrecipient for not responding to draft and/or final report).
5. The assurance that the procurement, receipt, and payment for goods and services received complies with federal and state laws, regulations, subrecipient policies, and the provisions of contractors' contracts and agreements. ([Uniform Guidance Section 200.501\[g\]](#))

### **Instructions for Developing the EEDD Oversight and Monitoring Plan**

The development of the local monitoring plan and procedures has been delegated to the EEDD, by agreement with the SJCBOS. The plan establishes procedures for monitoring subrecipients, the oversight of the AJCC system, and the oversight of contractors, in accordance with policies developed by the WDB that are based on the Governor's standards for Local Board oversight and monitoring. In addition

to incorporating the WDB's policies, the oversight and monitoring plan does the following:

1. Identifies procedures for annual on-site fiscal and programmatic monitoring of all WDB subrecipients. ([WIOA](#) Section 107[d][8]). Procedures should include but are not limited to the following:
  - a. Documentation to support claim reimbursements is reviewed monthly upon receipt of invoice.
  - b. Sample testing during monitoring reviews of high-risk areas (e.g., participants' data/files, procurement, expenditures, etc.) and when exceptions are identified will be expanded with at least five days' notice to providers. Sample testing may be expanded to include additional files and documentation.
  - c. Identify procedures on when to disallow costs due to non-compliance.
  - d. Identify procedure on recovering disallowed costs.
  - e. Identify procedures to conduct announced and unannounced visits of subrecipients to observe service delivery, interview staff, and review source documents for program and fiscal data.
  - f. Outline how technical assistance will be provided to subrecipients in a timely manner.
2. Identify procedures for oversight, including risk assessment, desk reviews, analysis of performance and financial reports, review of contractors, and all training providers utilized.
3. Require that the on-site review of each WDB subrecipient is both fiscal and programmatic, consistent with the requirements stated in [Title 20 CFR 683.410\(a\)](#). If the subrecipient's fiscal office and/or records are separately located at an inaccessible site (i.e., not within a reasonable commute outside of the Local Area), the WDB will require that copies of fiscal records of a sufficient nature and sample size are sent to the subrecipient's local office or directly to the WDB for review upon request. When mailing or emailing documentation, the subrecipient must take reasonable measures to safeguard protected personally identifiable information (PII) and other information that is deemed sensitive or confidential according to applicable privacy laws and obligations of confidentiality. ([2 CFR Section 200.303\[e\]](#), [TEGL 39-11](#))
4. Require that monitoring of WDB subrecipients follow a standardized review methodology that will result in written reports that record findings and areas of concern or observations, disallowed costs (if applicable), any needed corrective actions, and due dates for the accomplishment of corrective actions.
5. Require systematic follow-up to ensure that necessary corrective action has been taken. ([WIOA](#) Section 184 [a][5][A]). Require subrecipients to submit specific and timely documentation of progress until deficiencies are corrected

and not repeated. Submit to the WDB for approval, the documentation that demonstrates that the findings have been corrected and not repeated by the subrecipient.

6. Implement firewalls that conform to [Title 20 CFR 679.430](#) for demonstrating internal controls and preventing conflicts of interests. If the WDB performs more than one of the following functions, local fiscal agent, Local Board staff, one-stop operator or direct provider of services, there must be appropriate firewalls in place describing how the organization will carry out the responsibilities while demonstrating compliance with WIOA and corresponding regulations.
7. Ensure single audit reports do not take the place of an oversight or monitoring review for any subrecipient, AJCC, contractor, and/or training provider.
8. Conduct oversight and monitoring of all WDB youth workforce development activities (including youth providers). If a Local Board does not establish a Youth Standing Committee, the Local Board is still responsible for conducting the oversight of youth activities under [WIOA](#) Section 129(c). ([WIOA](#) Section 107[d][8])
9. Identify procedures to periodically examine training providers utilized by the WDB and its subrecipients to determine whether participants received [WIOA](#) services as claimed by the subrecipient (e.g., validating participant data, conducting participant interviews, conducting third-party verification, etc.). The periodic basis must be identified within the procedures. Any training providers found to not be providing sufficient training will be reported to the ETPL administrator.
10. Describe procedures to ensure that the procurement, receipt, and payment for goods and services received complies with federal and state laws, regulations, and WDB policies, and the provisions of contractors' contracts and agreements ([Uniform Guidance Section 200.501\[q\]](#)). While contractors are not subject to the same monitoring requirements as subrecipients, WDB is responsible for ensuring compliance regarding contractor transactions. The procurement of goods and services from contractors must comply with federal and state requirements in [WSD17-08](#).
11. Require that a system is in place to ensure that WDB and its subrecipients comply with the requirements in [WSD17-05](#), Oversight and Monitoring of Nondiscrimination and EO Procedures.
12. Require that all financial records, supporting documents, statistical records, and all other non-federal entity records pertinent to a federal award must be retained for a period of three years from the date of submission of the financial reports and other documentation pertaining to monitoring and other oversight activities must be made available for review by federal and state officials. ([Uniform Guidance Section 200.333](#))

13. Ensure the WDB keeps copies of their compliance monitoring efforts and reports on file. The WDB's compliance monitoring reports should be used as an assessment reference when developing CAPs and for scheduled onsite monitoring reviews that may be required by authorized federal and state reviewers.

#### Monitoring Report

EEDD Grants Management Division staff will complete a monitoring report upon completion of each monitoring review. If applicable, the monitoring report will identify gaps or deficiencies or subsequent recommendations for a CAP.

A CAP may be required to address findings of deficiencies discovered during monitoring. The corrective action plan will be assigned a tracking number and must include: the expectation, the finding, recommended corrective actions to meet compliance, and timeline for correcting the finding.

If the monitoring review identifies any deficiencies, EEDD Grants Management Division staff will provide a draft of the monitoring report and allow the report recipient at least ten days to respond. EEDD Grants Management Division staff will send a final draft of the monitoring report after the due date for a response, regardless of whether the recipient responded. Responses will be included in the final monitoring report. Corrective Action Plans (CAPs) submitted by a subrecipient, training provider, and/or contractor will be reviewed by EEDD Grants Management Division staff, with final approval issued by the Executive Director, Deputy Director, or their designee. Any approved modifications will be reflected in the final monitoring report. If no findings are made, EEDD staff may issue a final monitoring report, without a draft, and inform the recipient with a summary letter indicating no findings.

All monitoring reviews are conducted in a sample testing manner; therefore, it is not a comprehensive assessment of all areas included in the review process. Therefore, it is the responsibility of program providers, training providers, or contractors to ensure the systems, programs and related activities comply with WIOA Title I grant program, federal, state, and local rules, regulations, directives, policies and procedures. Deficiencies found in subsequent review, such as an audit, would remain the responsibility of the program provider, training provider or contractor.

Upon completion of final report(s), EEDD Grants Management Division staff will submit final monitoring report(s) to EEDD Administrative Division and the management team.

#### **V. QUESTIONS REGARDING THIS DIRECTIVE**

May be referred to the Executive Director of EEDD via Managers or designee.

VI. UPDATE RESPONSIBILITY

The Executive Director of EEDD and/or designee will be responsible for updating this directive, as appropriate.

VII. APPROVED



PATRICIA VIRGEN  
EXECUTIVE DIRECTOR

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