



NCWorks Commission

NCWorks Commission Policy Statement Number: CPS 07-2022

Date: May 11, 2022

Subject: Incident Reporting Process

From:

Draft

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Chair, NCWorks Commission

Purpose: To inform Workforce Development Boards (WDBs) on guidance for reporting alleged or suspected program fraud or abuse of Workforce Innovation and Opportunity Act (WIOA) resources to the N.C. Division of Workforce Solutions (DWS) regarding the Incident Reporting process.

This Commission Policy Statement (CPS) rescinds Policy Statement PS 15-2015, and the procedures herein supersede all previous policy, procedures, and guidelines regarding Incident Reporting Process.

Background: The United States Department of Labor (USDOL) requires each state, WDB and subrecipient to report all actual or suspected incidents of program abuse, fraud, or other criminal violations involving its Employment and Training Administration (ETA) funded programs and operations. Incidents should be reported on the USDOL Incident Report Office of Inspector General (OIG) Form DL 1-156. The DWS is responsible for reporting a violation or apparent violation that has occurred to the Employment and Training Administration (ETA) Regional Administrators (RAs) using the Incident Report Form within seventy-two (72) hours of the alleged incident. (USDOL Training and Employment Guidance Letter (TEGL) No. 2-12)

Action: The United States Department of Labor has developed procedures and standardized forms for reporting incidents. Any act which raises questions concerning possible illegal expenditures or other unlawful activities should be reported immediately. A written incident report form (USDOL DL 1-156) shall be prepared by the WDB Director or designated staff member within one business day of detection or discovery of information alleging fraud, abuse, or other criminal activity involving WIOA funds.

The report must be submitted on the USDOL DL 1-156 form. The form has been provided as Attachment 1 and the instructions have been outlined in Attachment 2. The form must be submitted to:

Attention: Director of Field Operations/Job Seeker Services
North Carolina Division of Workforce Solutions
313 Chapanoke Road, Suite 120
Raleigh, North Carolina 27603

The DWS staff will record any incident report it receives in the WIOA Incident Report Log and forward the incident report to USDOL/ETA, Region 3 and the Division Counsel for the N.C. Department of Commerce, within one working day of receipt. The Division Counsel will notify the State Bureau of Investigation (SBI) in writing within ten days of being notified by the DWS. The SBI may investigate and if the investigation reveals a violation of criminal laws, the appropriate district attorney will be contacted for further legal action. The DWS staff may have to contact the reporting entity for clarification or additional details prior to forwarding it to USDOL Region 3 and the N.C. Department of Commerce Chief Financial Officer. Concurrently, with its transmittal of the incident report to USDOL Region 3, the DWS will, when applicable, notify the reporting entity to take appropriate action to recover misspent funds or to contain its financial liability.

To prevent further financial loss or other damage, or recovery of funds or property, the reporting entity has the responsibility to take any action it deems appropriate, including contacting the appropriate local law enforcement agency. Any immediate action taken or planned by the reporting entity must be reported to the DWS when the incident report is submitted.

All WDB staff shall notify employees and Career Center partners of the availability of the OIG/USDOL National Hotline for providing information confidentially. The OIG/USDOL National Hotline number is 1-866-487-2365. A report may be filed with the OIG by use of the internet at: <http://www.oig.dol.gov/hotlineform.htm>.

The National Hotline was established for employees and the public to notify the OIG of suspected fraud, abuse, or waste in any programs funded by the USDOL. Information supplied via the Hotline should be as specific as possible to enable the OIG to identify and solve the problem. The Hotline should not be used for resolving employee grievances, Equal Employment Opportunity complaints, labor disputes, or other personnel concerns.

Effective Date: Immediately

Expiration: Indefinite

Contact: Director of Field Operations/Job Seeker Services

Attachments:

1. USDOL Incident Report (DL 1-156) Form
2. Federal Form DL 1-156 Instructions