



Andy Beshear
GOVERNOR

EDUCATION AND LABOR CABINET

Jamie Link
SECRETARY

Mayo-Underwood Building
500 Mero Street, 3rd Floor
Frankfort, Kentucky 40601
(502) 564-3070

October 6, 2023

Tony Georges, Chair
KentuckianaWorks Workforce Development Board
Human Resources Director UPS
1400 North Hurstbourne Lane
Louisville, KY 40223

Michael Gritton, Executive Director
KentuckianaWorks Local Workforce
Development Board
410 West Chestnut Street, Suite 200
Louisville, KY 40202

Dear Mr. Gritton and Mr. Georges:

Thank you for your responses to the Workforce Innovation and Opportunity Act Title 1B PY21 Comprehensive Monitoring Report issued on June 14, 2023. While these responses have been accepted, the Cabinet reserves the right to review files of this cohort, as well as all participant files for ongoing compliance purposes.

If you have any questions, please contact Jim Beyea via email at jim.beyea@ky.gov or oetmonitoringteam@ky.gov.

Sincerely,

A handwritten signature in cursive script that reads "Jim Beyea - DWD".

Jim Beyea
Assistant Director

Attachment: KentuckianaWorks PY21 WIOA Final Monitoring Report

WIOA Comprehensive Monitoring Review

KENTUCKIANAWORKS LWDB

March 13, 2023

Monitoring of the KENTUCKIANAWORKS Local Workforce Development Area

The KENTUCKIANAWORKS Local Workforce Development Area was monitored by the monitoring team staff on March 13, 2023. Department of Workforce Development (DWD) monitoring staff included Anita Doster, Amanda Cummins, and Donna Burke. The team reviewed Workforce Innovation and Opportunity Act (WIOA) Title 1B programs, specifically Adult, Dislocated Worker (DW), and Youth relating to Program Year 2021. Also, a comprehensive financial review was conducted of all referenced programs.

A closing conference was held on April 18, 2023. A brief review of monitoring was given by Jim Beyea, Anita Doster, Amanda Cummins, and Donna Burke.

The purpose of the monitoring review was to analyze information regarding the above-noted formula programs and grants operated by KENTUCKIANAWORKS' LWDB in order to:

- determine if the programs are meeting their goals and objectives;
- assess whether the programs are operating in accordance with federal, state, and local requirements, and
- identify promising practices.

For purposes of this monitoring review, a finding could denote noncompliance with the following:

- applicable laws and regulations;
- relevant Office of Management and Budget (OMB) circulars;
- uniform administrative requirements;
- state policies and directives; and/or
- local policies and procedures.

The monitoring team appreciates the time and information provided by KENTUCKIANAWORKS' LWDB staff. This report is critical to the continuous improvement of the workforce system leading to better services and outcomes for jobseeker and employer customers.

Title 1B Executive Summary

The following is a description of findings and observations found when monitoring WIOA Title 1B Programs:

The Program monitor(s) identified three (3) findings and no observations, and the financial monitor identified one (1) finding and no observations during the PY21 Comprehensive Monitoring Review. The findings identified within this report are indicative of operational or quality issues worthy of attention and/or follow-up.

A finding requires immediate attention and corrective action, up to and including a corrective action plan. An observation may be a concern that, if left unaddressed, may result in future finding(s). An observation may also be a concern in which a written clarification from the LWDB could alleviate the concern. The operational challenges identified in the observations are related to those activities for which the Commonwealth has a strategy or an initiative, but for various reasons, the action is incomplete or insufficient.

Incorporated in this summary is a list of applicable findings and observations for each program based on the Comprehensive Monitoring Review. Following the summary are the individual program details.

Program Monitoring Summary

Finding(s):

1. Violation of Case Management (Follow-up) Policy
2. Repeat Violation on Monitoring Reports
3. Violation of KentuckianaWorks Case Management Policy/Missing Monthly Case Notes

Observation(s):

No Observations

Financial Monitoring Summary

Finding(s):

1. Monthly reports submitted past due date

Observation(s):

No Observations

PROGRAM MONITORING DETAILS

FINDINGS

Finding (1): Violation of Case Management (Follow-up) Policy

Issue(s):

1. Dislocated Worker: Workforce Case #003319740. One participant is missing monthly follow-up calls after beginning of unsubsidized employment on 2/28/22. No follow-up from 3/4/22 thru 8/30/22. Email sent to participant on 8/30/22 and there was not contract with participant after 8/30/22.
2. Adult: Workforce Case #003448341, #003439469, #003450019, and #003426395. Four participants are missing monthly follow-up case notes. Workforce Case #003448341 had no follow-up after training was completed and self-employment was confirmed. Workforce Case #003439469 had no follow-up after training was completed and employment was confirmed. Workforce Case #003450019 had no follow-up after training was completed and case note on 6/29/22 states participant was to begin work the following week, but no start date nor wages were confirmed. Workforce Case # 003426395 had missing monthly follow-up case notes.
3. Youth: Workforce Case #001505386 and #002675615. Two youth participants are missing monthly follow up case notes. Closing spreadsheets show the LWDB stating that the missing follow-up was entered into case notes, but none were found showing dates and details of the missing months of follow-up.

Citation(s):

KentuckianaWorks Case Management Policy

Follow-Up Requirements for Case Management

The goal of follow-up is to support customer retention and advancement in employment (as well as post-secondary education for youth participants) and re-employment for customer should the customer become unemployed. Follow-up should reflect this goal and extend beyond the capture of performance data (for example, help address barriers to retention such as transportation, provide financial literacy support, and prepare for performance reviews and advancement opportunities). The type and intensity of follow up depends on the need of the individual customer. Adult customers may not access supportive services during follow-up; however, youth participants may be able to access supportive services. All follow-up activities shall be documented in KEE Suite as case notes. Title the case note as "Follow-Up." Do not enter follow up services as an Activity in KEE Suite. This will re-start the customer's service period. Outcome data in KEE should be updated to reflect employment and credential gains as needed to reflect customer success.

Follow-up service period

- Adult customers: 12 months beginning the first day of unsubsidized employment or after the last planned service 9/25/20 Page 4 of 5
- Youth Customers: 12 months after the completion of participation

Note: The exit date of a customer is not required to be the date unsubsidized employment begins. It is the last date of service (excluding self-service, information-only services, or

activities, or follow up services) and requires that there are no plans to provide the participant future services. Planned services may continue after unsubsidized employment if the participant requires services beyond those available through follow up services to ensure the individual is stable in the new employment.

Frequency of follow-up

Case managers shall conduct follow-up each month for year after their exit date. For adults and dislocated workers only, an exception may be made after the initial six month follow-up period to allow follow-up to shift from monthly to once a quarter for the remaining six months of the follow-up period for customers who are stable in employment (for example, the individual is employed with the same employer during the first six months of the follow-up period, successfully completes probation period and/or attains a successful performance review). If the customer becomes unemployed, then follow-up shall occur at least monthly for the remainder of the 12-month follow-up period. If after the 12-month period the customer is unemployed or not stable in employment, then continue to coach the customer for another quarter to gain or retain employment through the fourth quarter of employment after the exit quarter.

Ending follow-up services prior to the end of the 12-month follow-up period If a customer chooses to opt out of follow-up services, a customer should indicate this in writing. Staff shall enter this as a case note in KEE Suite and the documentation should be uploaded to KEE Suite.

The pursuit of follow-up services is not required if a customer is determined non-responsive to contact attempts or cannot be located. At a minimum, this determination requires weekly attempts using multiple contact methods for at least 30 days (for example, email, phone call, text, and letter) or documentation that there is no available contact information [for example, returned emails, letters or disconnected phone messages (staff attestation case note for discontinued phone numbers is adequate)]. If a customer reaches out after follow-up has been discontinued due to unresponsiveness, then follow-up services must resume.

Documentation for ending follow-up services

Each outreach attempt shall be documented in KEE Suite by a case note indicating date and method of attempt as well as any pertinent information about the inability to contact (e.g., if a phone is disconnected or a letter returned through the mail). A final case note shall indicate the end of follow-up services at the conclusion of outreach attempts. Here is an example of a final case note:

Per the case management policy, further follow-up is discontinued as of 9/7/20 after unsuccessful weekly outreach attempts over the course of 30 days: 8/3 (email), 8/11 (phone call), 8/17 (letter), 8/28 (text). If the customer reaches out, follow up will resume.

Instance(s): 7/15 (47%)

Required Action:

LWDB must comply with the LWDB's Case Management Policy. Training must be given to staff regarding the importance and process of the follow-up requirements for case management. A sign-in sheet for this training and the training syllabus/documents must be completed and forwarded to DWD within 30 days of receipt of this report to attest this finding has been resolved.

LWDB Response:

For the Finding Required Action, KentuckianaWorks provided training on the subject of this finding, Case Management Follow-up, to KentuckianaWorks WIOA Service Provider staff.

- The training material on the subject of this finding is attached to this response, *KW Follow-up Training_Final*.
- The training sign-in sheets for both sessions are attached to this response, *KW Sign In Sheet – WIOA Training – Case Notes & Follow-up_Youth*, and *KW Sign In Sheet – WIOA Training – Case Notes & Follow-up_Adult*.

DWD Response:

DWD accepts LWDB’s response. Finding has been resolved.

Finding (2): Repeat Violation on Monitoring Reports

Issue(s):

1. PY20 Final WIOA Compliance Monitoring Report, Finding #6 states 23/44 (53%) participants had incomplete follow-ups or follow-ups were missing. LWDB’s Response: “KentuckianaWorks would first like to address the role of the data system in regard to this finding. Since the launch of KEE Suite in 2018, the follow-up functionality has either not operated properly, or has at times not operated at all, including the Employment Outcome entry. ... For the Finding Required Action, KentuckianaWorks provided training on the subject of this finding to all KentuckianaWorks WIOA Service Provider staff on two separate dates (same training held twice), Wednesday, October 12, 2022, 9:00 AM – 11:00 AM, and Thursday, October 20, 2022, 2:00 PM – 4:00 PM.” DWD has found that KentuckianaWorks area requires further training to correct this issue.
2. PY20 Final WIOA Compliance Monitoring Report, Finding #5 states 6/44 (14%) participants had missing monthly case notes. LWDB’s Response: “For the Finding Required Action, KentuckianaWorks provided training on the subject of this finding to all KentuckianaWorks WIOA Service Provider staff on two separate dates (same training held twice), Wednesday, October 12, 2022, 9:00 AM – 11:00 AM, and Thursday, October 20, 2022, 2:00 PM – 4:00 PM.” DWD has found that KentuckianaWorks area requires further training to correct this issue.

Citation(s):

2 CFR 683.220 What are the internal controls requirements for recipients and subrecipients of Workforce Innovation and Opportunity Act title I and Wagner-Peyser Act funds?

(a) Recipients and subrecipients of WIOA title I and Wagner-Peyser Act funds must have an internal control structure and written policies in place that provide safeguards to protect personally identifiable information, records, contracts, grant funds, equipment, sensitive information, tangible items, and other information that is readily or easily exchanged in the open market, or that the Department or the recipient or subrecipient considers to be sensitive, consistent with applicable Federal, State and local privacy and confidentiality laws. Internal controls also must include reasonable assurance that the entity is:

- (1) Managing the award in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award;
- (2) Complying with Federal statutes, regulations, and the terms and conditions of the

- Federal awards;
- (3) Evaluating and monitoring the recipient's and subrecipient's compliance with WIOA, regulations and the terms and conditions of Federal awards; and
- (4) Taking prompt action when instances of noncompliance are identified.

(b) Internal controls should be in compliance with the guidance in “Standards for Internal Control in the Federal Government” issued by the Comptroller General of the United States and the “Internal Control Integrated Framework”, issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO). See 2 CFR 200.303.

Instance(s): 2

Required Action:

When a local area receives a Final Comprehensive Compliance Monitoring report, they are expected to follow the DWD’s required action and correct the files in KEE Suite that reflect the findings that are listed in their report, if possible. If training is recommended and the local area states they will train their staff, DWD should not see repeat findings on future monitoring reports. A training must be given to all staff regarding the importance of correcting Kee Suite participant files to ensure there are not repeat findings on future monitoring reports. Training must be given to all staff regarding every finding on this report and a sign-in sheet for this training and the training syllabus/documents must be completed and forwarded to DWD within 30 days of receipt of this report to attest this finding has been resolved.

LWDB Response:

For the Finding Required Action, KentuckianaWorks provided training on the subject of this finding, along with Case Notes and Follow-up, to KentuckianaWorks WIOA Service Provider staff.

- The training sign-in sheets for both sessions are attached to this response, *KW Sign In Sheet – WIOA Training – Case Notes & Follow-up_Youth*, and *KW Sign In Sheet – WIOA Training – Case Notes & Follow-up_Adult*

DWD Response:

DWD accepts LWDB’s response. Finding has been resolved.

Finding (3): Violation of KentuckianaWorks Case Management Policy/Missing Monthly Case Notes

Issue(s):

1. Adult: Workforce Case #003426395. One participant is missing monthly case notes. Closing spreadsheets show the LWDB stating that these were now entered but KEE Suite is not showing any case notes for January 2022 or February 2022.
2. Youth: Workforce Case #003443800. One participant is missing monthly case notes for the months of February 2022, May 2022, and November 2022.

Citation(s):

KentuckianaWorks Case Management Policy
Communication Expectations while the Customer is Active in Services
 At a minimum, staff shall contact customers each month while they are active participants in services. If the case manager is the secondary case manager, then they may document

services based on a report from the primary case manager. In the case of a customer in a Service Program, the case manager may contact the provider for an update. A summary of all pertinent information from the interaction with the customer or an event related to the customer must be documented in the customer's case notes in KEE Suite in accordance with data entry requirements.

Document unsuccessful attempts to reach a customer. If a customer does not respond after weekly attempts using multiple contact methods over a time period more than 30 days (for example, email, phone call, text, and letter), then efforts may be discontinued. Each outreach attempt shall be documented in KEE Suite and a final case note shall indicate the intent to no longer provide services. If the customer reaches out prior to the end of the 90-day period before official exit to continue services, then the customer may continue services as an active participant once a service is provided.

Instance(s): 2/15 (13%)

Required Action:

LWDB must comply with the LWDB's Case Management Policy. Training must be given to staff regarding the importance and process of Case Management and entering monthly contact case notes with each participant. A sign-in sheet for this training and the training syllabus/documents must be completed and forwarded to DWD within 30 days of receipt of this report to attest this finding has been resolved.

LWDB Response:

For the Finding Required Action, KentuckianaWorks provided training on the subject of this finding, Case Notes, to KentuckianaWorks WIOA Service Provider staff.

- The training material on the subject of this finding is attached to this response, *KW Case Notes Training_Final*
- The training sign-in sheets for both sessions are attached to this response, *KW Sign In Sheet – WIOA Training – Case Notes & Follow-up_Youth*, and *KW Sign In Sheet – WIOA Training – Case Notes & Follow-up_Adult*

DWD Response:

DWD accepts LWDB's response. Finding has been resolved.

OBSERVATIONS

Observation(s):

No Observations

FINANCIAL MONITORING DETAILS

FINDINGS

Finding (1):

Reports submitted into State system past due date

Issue(s):

Report 274YT22 was submitted past the due date into Work Systems for the monthly reporting.

Citation(s):

Kentucky Career Center Policy 16-013 states, "Local Workforce Development Areas (LWDAs) must submit all financial information by the 20th calendar day following the last day of the month into the WORKS system. Should the 20th calendar day of the month fall on a weekend, the information must be entered by close of business day Monday. Failure to enter all financial information necessary to produce monthly reports will result in delays of processing reimbursement requests and require corrective action." This was also an observation in the PY20 report.

Required Action:

LWDB must ensure all monthly financial reports are submitted by the due date each month. DWD suggests Calendar reminders, multiple staff monitoring deadlines, or utilize an excel spreadsheet as a tracking device.

LWDB Response:

A process has been put in place to ensure the reports are submitted by the deadline each month. Please see the attached document, "WIOA Financial Reporting Requirement" that outlines the process.

DWD Response:

DWD accepts LWDB's response. Finding has been resolved.

OBSERVATIONS

Observation(s):

No Observations

BEST PRACTICES

The Department of Workforce Development would like to acknowledge the Best Practices conducted by KentuckianaWorks' Workforce Development team. They are as follows:

- Quick response to document requests during monitoring
- Great communication during monitoring

END OF REPORT