



EDUCATION and WORKFORCE DEVELOPMENT CABINET
Department of Workforce Investment

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June 2, 2022

Jeff Whitehead, Executive Director
EKCEP WDB
412 Roy Campbell Drive, Suite 100
Hazard, KY 41701

Howard Blackburn, Chair
EKCEP WDB
346 North Mayo Trail
Pikeville, KY 41501

Dear Mr. Whitehead and Mr. Blackburn:

Thank you for your responses to the Workforce Innovation and Opportunity Act Title 1B PY20 Comprehensive Monitoring Report issued on April 26, 2022. 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 at jim.beyea@ky.gov or email at oetmonitoringteam@ky.gov.

Sincerely,

Jim Beyea
Assistant Director

Attachment(s): PY20 Comprehensive Compliance Review



Comprehensive Review

EKCEP LWDB

December 13, 2021

Monitoring of the EKCEP Local Workforce Development Area

The EKCEP Local Workforce Development Area was monitored by the monitoring team staff on December 13, 2021. Department of Workforce Investment (DWI) monitoring staff included Anita Doster, Amanda Cummins, Donna Burke, and Jim Beyea. The team reviewed Workforce Innovation and Opportunity Act (WIOA) Title 1B programs, specifically Adult, Dislocated Worker (DW), and Youth relating to Program Year 2020. Also, a comprehensive financial review was conducted of all referenced programs.

The closing conference was held on February 16, 2022. 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 EKCEP's 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 EKCEP 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 five (5) findings and three (3) observation during the PY 2020 Comprehensive Monitoring Review. The financial monitor identified one (1) finding and no observations. 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. Case notes not entered at time of contact
2. IEP/ISS Incomplete
3. Follow-up Service Not Documented
4. Missing Low-Income Eligibility Documentation
5. Questioned Eligibility, missing or incomplete required documentation

Observation(s):

- A. Incomplete registration in KEE Suite
- B. Incomplete eligibility in Kee Suite
- C. Missing support documentation

Financial Monitoring Summary

Finding(s):

1. Overpayment of work experience.

Observation(s):

- A. No observations.

PROGRAM MONITORING DETAILS

FINDINGS

Finding (1):

Case notes not entered at time of contact

Issue(s):

1. Youth: Workforce Case #000310190, #000308479, #000406632, #000310238, #001728739, #000332591, #000309867, #000312449, #000308323, and #000866889. Ten participants have case notes not entered in a timely manner.

Citation(s):

Case Note Policy #16-207 state that effective case management practices include comprehensive case notes. Case notes document details about intake, evaluations, participation, outcomes, service decisions, one-on-one meetings, achievements, and follow-up services. The purpose of case notes is to provide a detailed description of an individual's participation in services. Case notes must be clear, relevant and useful. Case notes will be written at the time of the event or contact and entered into KEE Suite as soon as possible, not to exceed 10 **business days**.

Instance(s): 10/46 (22%)

Required Action:

LWDB must ensure that all case notes are completed in KEE Suite at the time of event or contact and should be clear, relevant, and useful. It is requested for EKCEP's staff to be trained on the case note policy and submit the training information and sign-in sheet to the monitoring team within 30 days of receipt of this report to attest this issue has been resolved.

LWDB Response:

Last year, we launched an in-depth online Career Advisor Academy to help with training field staff. The Academy contains 491 assignments and takes on average 31 days for staff to complete. Newly hired field staff are required to complete the training before receiving access to KEE-Suite. We have strongly encouraged all seasoned field staff to work through these assignments as well. At this time, 56% of all career advisors have completed the Academy, including new and seasoned field staff. Even after the training academy is completed, field staff have the ability to go back in to view policies and examples.

One of the sections that field staff must train on is EKCEP policy regarding case notes. It contains a video describing the case note policy of entering them in a timely manner of 10 business days. The video also shows what to document in the case notes such as progress, barriers, interactions with the client, and description of assistance. At the end of this training section, a fill in the blank quiz asks field staff to list at least two policies and describe those. After each topic section of the virtual training academy, an example of a case note for that topic is provided.

DWI Response:

EKCEP acknowledges they will continue training staff to meet the goal of 100% trained with online Career Advisor Academy. DWI accepts LWDB's response. Finding has been resolved.

Finding (2):

IEP/ISS Incomplete

Issue(s):

1. Youth: Workforce Case #000311114, #000335388, #001728739, #000119040, #000743568, #000332591, #000309867, #000312449, #000308323, #001472345, #000866889, #000334470, and #001973826. Thirteen participants have incomplete IEP/ISS and are missing one or more of the following sections: LMI, challenges, goals, strengths, and Tabe test scores.
2. Adult: Workforce Case #001198541, #001268667, #001753941, and #001071537. Four participants have incomplete IEP's; not all sections have been fully completed.

Citation(s):

Workforce Innovation and Opportunity Act Sec. 129 (c)(B) "...develop service strategies for each participant that are directly linked to 1 or more of the indicators of performance described in section 116(b)(2)(A)(ii), and that shall identify career pathways that include education and employment goals (including, in appropriate circumstances, nontraditional employment), appropriate achievement objectives, and appropriate services for the participant taking into account the assessment conducted pursuant to subparagraph (A), except that a new service strategy for a participant is not required if the provider carrying out such a program determines it is appropriate to use a recent service strategy developed for the participant under another education or training program;"

According to Policy (29 U.S.C. § 3164(c)(1)(B)). The IEP/ISS shall contain the following components: short and long-term goals identified collaboratively to achieve the participant's specific occupational goal, objectives identified collaboratively as action steps to achieve each of the established goals, all goals and objectives shall address holistic case management including the elimination of barriers identified during assessment. All goals and objectives shall be measurable and attainable within the identified timeframe.

Instance(s): 17/46 (37%)

Required Action:

LWDB must ensure ISS/IEP and Service Program activities are completed prior to providing training services. It is requested for EKCEP's staff to be trained and submit the training information and sign-in sheet to the monitoring team within 30 days of receipt of this report to attest this issue has been resolved.

LWDB Response:

In looking at the files that were monitored, several system issues were occurring with KEE-Suite at the time. Some of those files were exited at the time of monitoring and the IEP could not be corrected. With the latest system update, those IEPs are no longer visible since the Workforce Case is no longer active. We are using this monitoring to stress to our field staff the importance of completing the IEP according to policy. Our new virtual training academy gives an in-depth look at the IEP which we think will eliminate the issues with the IEP.

One section in the virtual training academy focuses solely on the IEP. After field staff learn about the policies regarding the IEP, they are shown how to document it in case notes. Once they go through these topics we have set up different scenarios of clients that may come in and the importance of an IEP for them. Our training academy then demonstrates a system walk-thru on how to enter the IEP. At the end of the section, they are given a short quiz, containing fill in the blank and multiple choice questions This shows us if they have gained an understanding of the policy and what is required with the IEP.

DWI Response:

EKCEP acknowledges they will continue training staff to meet the goal of 100% trained with online Career Advisor Academy. DWI accepts LWDB's response. Finding has been resolved.

Finding (3):

Follow-up Service Not Documented or Incomplete

Issue(s):

1. Adult: Workforce Case #000804942, #001378821, #001351133, and #001474412. Four participants had inconsistent follow-up and not entered at time of contact.

Citation(s):

TEGL 19-16, States and local areas must provide follow-up services for adults and dislocated worker participants who are placed in unsubsidized employment, for up to 12 months after the first day of employment. States and local areas must establish policies that define what are considered to be appropriate follow-up services, as well as policies for identifying when to provide follow-up services to participants. One type of follow-up service highlighted in WIOA is to provide individuals counseling about the workplace. Follow-up services do not extend the date of exit in performance reporting; for more information on performance reporting see TEGL 10-16.

EKCEP Client Services Handbook for Adult, Dislocated Workers, and Out-of-School Youth: Follow-Up services must be provided to Adults and Dislocated Workers who have successfully completed Individualized or Paid Services and have obtained unsubsidized employment and all Out-of-School Youth. Follow-Up activities are geared towards helping the client retain employment through services such as counseling and referral to partner agencies. Clients receiving Follow-Up services may not receive Supportive Services. If client requires Supportive Services following obtaining unsubsidized employment, a waiver must be requested from EKCEP.

Instance(s): 4/46 (9%)

Required Action:

LWDB must ensure case managers complete follow-up services in a timely manner and all case notes are documented in KEE Suite. LWDB must confirm that training has been provided to case managers and this issue has been resolved. Confirmation must be submitted to the monitoring team within 30 days of the receipt of this report to attest this finding has been resolved.

LWDB Response:

The Virtual Training Academy provides an in-depth look into policy regarding follow-up services. A flow chart is provided to show when to conduct follow-up for clients who are enrolled into certain programs, receive paid services, and obtained employment. After reviewing the Follow-Up policy, the field staff are given an assignment to complete case notes for different scenarios of clients who are in follow up status. Once the assignment is completed, a short multiple choice quiz is given to ensure the field staff understands policy regarding policy. Field staff are able to access the academy at any point to review policy regarding follow-up services.

DWI Response:

EKCEP acknowledges they will continue training staff to meet the goal of 100% trained with online Career Advisor Academy. DWI accepts LWDB's response. Finding has been resolved.

Finding (4):

Missing Low-Income Eligibility Documentation

Issue(s):

1. Adult: Workforce Case #001378821 and #001753941. 2 participants are missing low-income calculations.

Citation(s):

WIOA 1-2 Reference Guide: Methods for Calculating Income: When calculating the amount of income in determining eligibility, use one of the following methods: Please show your work on a separate sheet and state the method used. **Straight-Pay or Salary Method:** The minimum number of pay stubs is two (2) stubs, if paid weekly, and one stub if paid bi-weekly, bi-monthly, or monthly. The applicant supplies a sample of pay stubs covering the most recent twelve months of family income. If upon reviewing the pay stubs, the intake worker determines that the wage information on the stubs is the same, i.e., there is no variation in the wages for any of the pay stubs submitted, calculate the income. Based upon the wages indicated on the appropriate number of pay stubs, multiply the gross income by the number of pay periods in six months. If the pay is weekly, multiply by 26 for a six-month gross income and multiply by 2 to obtain an annualized figure.

Instance(s): 3/46 (7%)

Required Action:

LWDB must ensure the annual income calculation is completed and uploaded into KEE to satisfy the low-income eligibility requirement. LWDB must confirm that training has been provided to case managers and this issue has been resolved. Confirmation must be submitted to the monitoring team within 30 days of the receipt of this report to attest this finding has been resolved.

LWDB Response:

Under Adult eligibility requirements, policy states an individual who is underemployed making less than self-sufficient wage of \$13.40. When reviewing both of these files, both earn less than self-sufficient wages. #001378821 earns \$7.25 per hour and #0001753941 \$11.40 per hour, therefore calculation of income was not needed.

Training on eligibility requirements including income have been thoroughly reviewed in our training academy and a quiz is given on the topic to test the field staff's knowledge of the subject.

DWI Response:

EKCEP acknowledges they will continue training staff to meet the goal of 100% trained with online Career Advisor Academy. DWI accepts LWDB's response. Finding has been resolved.

Finding (5):

Questioned Eligibility, missing or incomplete required documentation

Issue(s):

1. Adult: Workforce Case #001753941 and #001198541. Two participants were certified as WIOA Adult via WIOA 1 paper form that was uploaded, however, WIOA Adult Eligibility not entered into KEE Suite.
2. Dislocated Worker: Workforce Case #002332784. One participant is missing revised WIOA-1 and/or eligibility service entered into Kee Suite to show correct funding stream. Case notes do not explain why the participant could not return to previous industry/occupation.

Citation(s):

Kentucky Career Center Data Entry Policy, 15-014 "...With performance reporting being a top priority at both the state and federal level, the Office of Employment and Training is issuing this directive that beginning January 1,2014, data must be entered in the system within 10 days of its occurrence. The purpose of this timeframe is necessary in order to extract and review correct data."

WIOA-1 and WIOA-2 Reference Guide acceptable verification or documentation sources: At the time of eligibility determination, 100 percent up-front verification is required. All documents must be unexpired. This policy requires that all backup documentation (photocopy acceptable) for the social security number, birthdate, citizenship/alien status, selective service status, and eligibility category provided by the individual be verified by one of the following methods and in the following order of priority:

Instance(s): 3/46 (7%)

Required Action:

LWDB must ensure all state and local policies are followed and that all required documentation is obtained and legible upon enrollment. LWDB must ensure all participants that are served are determined eligible as defined by the WIOA-1 and its instructions prior to enrolling a customer in WIOA services. It is requested for EKCEP's staff to be trained and submit the training information and sign-in sheet to the monitoring team within 30 days of receipt of this report to attest this issue has been resolved.

LWDB Response:

WFC #001753941 entering eligibility into KEE-Suite has thoroughly been discussed with Career Advisors through our Virtual Training Academy. The importance of entering the eligibility and document any system issues have been stressed to the field staff to prevent this from occurring.

WFC #001198541 at the time of the actual eligibility date (1/31/2020) it looks as though there were system issues therefore a paper WIOA-1 was completed. Eligibility was completed in KEE-Suite on 2/28/2020 and those system issues were documented on that date in case notes.

WFC #002332784- It looks as though a system issue occurred during eligibility which was case noted on 10/19/2020 therefore the client was enrolled as an NDWG rather than a regular DW. At the time of monitoring, the WFC was closed therefore any changes could not be made to the eligibility tab. The participant did return to work part time however he was making 80% less than his income prior to being laid off.

In implementing our Virtual Academy, we made sure eligibility for each funding stream was a separate topic. Within each funding stream eligibility section, we provide policy review, how to enter case notes, and a system demo and walk- thru of entering eligibility for clients. At the end of each section, field staff are given a multiple choice and fill in the blank quiz to demonstrate their knowledge of the topic. The virtual training academy is readily available to all field staff to review even after completion.

DWI Response:

EKCEP acknowledges they will continue training staff to meet the goal of 100% trained with online Career Advisor Academy. DWI accepts LWDB's response. Finding has been resolved.

OBSERVATIONS

Observation A:

Youth: Workforce Case #000311114 and #001472345. Household Information is incomplete under Registration tab.

Recommendation A:

LWDB should ensure when registering new participants into the system and before submitting for approval that all information is accurate and complete for this will aid in safeguarding against any disallowed or questioned cost.

Observation B:

Dislocated Worker: Workforce Case #001397588, no box was checked for reason for being underemployed under eligibility in Kee Suite.

Recommendation B:

It is highly recommended for the LWDB to ensure all eligibility information is fully and accurately completed prior to start of training to help better safeguard the potential of disallowed or questioned cost.

Observation C:

Dislocated Worker: Workforce Case #001397588 had missing supporting documentation for supportive service on 7/1/20 for \$145.96.

Recommendation C:

LWDB should ensure all supporting documentation is uploaded into the system to show information that has been entered is accurate.

FINANCIAL MONITORING DETAILS

FINDINGS

Finding (1):

Overpayment of work experience.

Issue(s):

1. Youth Workforce Case #001379162 had overpayment of time worked by two hours. Hourly wage was \$10.00 per hour totally to a disallowed cost of \$20.00.

Citation(s):

2 CFR 200.403 Factors affecting allowability of costs. Except where otherwise authorized by statute, costs must meet the following general criteria in order to be allowable under Federal awards: (a) Be necessary and reasonable for the performance of the Federal award and be allocable thereto under these principles.

2 CFR 200.404 Reasonable costs. A cost is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost. The question of reasonableness is particularly important when the non-Federal entity is predominantly federally funded. In determining reasonableness of a given cost, consideration must be given to:

(a) Whether the cost is of a type generally recognized as ordinary and necessary for the operation of the non-Federal entity or the proper and efficient performance of the Federal award.

Instance(s): 1/15 (7%)

Required Action:

LWDB must reduce the next draw amount against grant number 274YT20 in the amount of \$20.00. Present the documentation to the DWI Monitoring team for this draw, less the \$20.00 for approval.

LWDB Response:

LWDB will do a negative drawdown of \$20 and then charge \$20 to make it zero, since there are no funds left on grant number 274YT20.

DWI Response:

DWI accepts this response. Finding is resolved.

END REPORT