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EMPLOYMENT SECURITY DEPARTMENT
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EMPLOYMENT ASSISTANCE
ISSUANCE PY 01-9

Ed Rolle, Director

November 6, 2001

TO: Local Workforce Investment Areas/Service Providers

SUBJECT: Arkansas Workforce Investment Act Title I-B Program Monitoring Instrument

1. **Purpose:** To provide WIA Local Workforce Investment Areas/Service Providers with the State's newly developed WIA Title I-B Program and Monitoring Instrument review guide that will be used to review your WIA activities.
2. **General Information:** In using this guide, it will provide us information regarding whether the guide can collect sufficient data to review WIA activities and analyze how Title I services are provided within the local One Stop. It is also our intent that the guide will be used to assist us in determining how well local areas have implemented WIA, as well as to determine whether there are no compliance issues in respect to each of the funding streams.
3. **Action Required:** Please advise the appropriate staff regarding the contents of this Issuance, which is effective immediately. Should the Issuance be updated, you will be notified and provided a copy of changes as soon as possible.
4. **Inquiries:** Please direct any questions concerning this Issuance your Workforce Development Specialist.
5. **Attachments:**
 - Arkansas Workforce Investment Act Title I-B Program Monitoring Instrument (Revised May 2001)
 - Participant Check List
 - Youth Participant Interview
 - Youth Work-Site Supervisor Interview
 - Checklist of Basic Elements of On-The-Job Training (OJT) Contracts
6. **Expiration Date:** Continuing

**JOB
SERVICE
OF ARKANSAS**

"AN EQUAL OPPORTUNITY EMPLOYER"

ARKANSAS

Workforce Investment Act

Title I-B

PROGRAM MONITORING INSTRUMENT

(Revised May 2001)

ARKANSAS EMPLOYMENT SECURITY DEPARTMENT

Office of Employment Assistance

Workforce Development Unit

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**Workforce Investment Act (WIA)
Title I-B Monitoring Instrument
Arkansas Employment Security Department
Office of Employment Assistance
Workforce Development Unit**

Local Workforce Investment Area Name/Address/Director of Area Being Monitored:

Monitor/(ing) Team:

Local Workforce Investment Area Staff (Attach Organizational Chart):

Monitoring/Review Dates:

From _____ To _____

Entrance Interview/List of Attendees and General Notes:

PART I

POLICIES AND PROCEDURES

Request a copy of the LWIA's policy and procedures handbook to use during the review of Part I.

1. Describe the process for receiving/referring customers. **663.145(i)** _____

2. Describe the process for providing/documenting core services for adults and dislocated workers. **663.155** _____

3. Describe the process for providing/documenting intensive services for adults and dislocated workers. **663.210** _____

4. Describe the process for providing/documenting training services for adults and dislocated workers. **663.310** _____

5. Describe the LWIA's policy and/or procedure for out-of-area assistance and relocation assistance. **663.200(a)** _____

6. Describe the LWIA's priority to low-income individuals in the event of limited funding. **663.600(b)** _____

7. Describe the LWIA's policy for limitation of dollar amount and duration of Individual Training Accounts (ITAs). **663.420(a)** Is this policy reflected in the LWIA plan? Yes _____
No _____ If not, why? **663.420(c)** _____

8. Describe the LWIA's process for utilizing mechanisms other than ITAs to provide training services. **663.430** _____

9. Describe the LWIA's policy for determining the time limitation of an OJT contract. **663.700(c)** _____

10. Describe the LWIA's policy for determining "self- sufficiency/sufficient wage" as it pertains to OJT and customized training. **663.230, 663.705(a) and 663.720(a)** _____

11. Describe the LWIA's policy for the provision of supportive services to adults and dislocated workers. **663.800** _____

12. Describe the LWIA's policy determining the level of needs-related payments for adults and dislocated workers. **663.840** _____

13. Describe the process for providing/documenting follow-up services. **Section 134 (d)(2)(k)** _____

14. Describe the LWIA's policy regarding the monitoring of subrecipients and contractors, including follow-up and resolution processes. **667.410(a)(1-3)** _____

15. Describe the LWIA's policy for the provision of technical assistance to subrecipients and contractors. **667.410(a)(3)** _____

16. Describe the LWIB's oversight responsibilities of the youth council. **661.340, 664.110**

17. Does the LWIA plan to utilize the five percent (5%) window for youth? **664.220**
Yes _____ No _____

18. What is the LWIB's policy regarding additional barrier(s), as it pertains to the youth that qualify under the five percent (5%) window? **664.220(h)** _____

19. How does the LWIA track the thirty percent (30%) expenditure for out-of-school youth? **664.320** _____

20. How does the LWIA ensure that the following areas are included in the design of local youth programs **664.405(a)(1-3)**:

Objective assessment. _____

Academic and occupational skill levels. _____

Individual Service Strategy. _____

Establishment of career goals. _____

Preparation for postsecondary education opportunities. _____

Linkages between academic and occupational learning. _____

Preparation for employment. _____

Links to the job market and employers. _____

21. Describe the LWIB's linkages to entities that will foster the participation of eligible local area youth (i.e. law enforcement, housing authority, Job Corp, local education agencies) **664.405 (c)** _____

22. How does the LWIA ensure that income eligibility for youth is met? **Section 101 (25); 664.200** _____

23. Describe the LWIA policy for referral of youth to other agencies for service. **664.405 (d)(2)** _____

24. How does the LWIB ensure the participation of parents, youth participants and individuals in the youth-community play a role in the design and implementation of youth programs? **664.405 (f)** _____

25. Describe the LWIA's policy for determining "recent" as it pertains to objective assessment and individual service strategies. **664.405 (g)** _____

26. How does the LWIA ensure that the ten program elements, as defined in **664.410 (a)**, are options that are available to youth? _____

27. What supportive services are provided for youth? **664.440** _____

28. What follow-up services are provided for youth? **664.450 (a)** _____

29. How does the LWIA track the required twelve (12) month follow-up for youth? **664.450 (b)** _____

30. Describe the LWIA's process for tracking, funding and providing services for concurrently enrolled youth/adults (18-21). **664.500 (c)** _____

31. Describe the LWIA's policy to determine "appropriate levels of youth, adult and dislocated worker services" for the concurrently enrolled. **664.500 (b)** _____

32. Describe the LWIA's process for providing summer employment opportunities. **664.600**

33. How does the LWIA administer the summer employment element? **664.610**

34. How will the LWIA ensure that summer employment activities provide positive outcomes for performance measures? **664.620**

35. Describe how the LWIA tracks performance measures. **666.300, 666.310**

36. Describe the LWIA's grievance process, including resolution on the local level. **667.600 (b)**

37. Describe the LWIA's policy for the securing of information for the local service provider list. **663.510**

38. Describe the LWIA's policy for selecting local youth service providers. **117(d)(2)(B)**

PART II **GOVERNANCE**

A. Local Workforce Investment Board (LWIB)

1. Are all LWIB seats filled and is the board certification current? **661.325** _____

Do representatives of business constitute fifty-one (51%) of the LWIB? **661.315 (d)**

Yes _____ No _____ If not, why? _____

2. Describe the orientation the LWIB members receive. _____

3. Does the LWIB have an approved five-year local plan? **661.350 (b)** Yes _____ No _____

Has the local plan been amended? **661.355** Yes _____ No _____ If yes, what has been amended and when? _____

4. Describe the selection criteria of the One-Stop operators. **662.410(a)(b)** _____

5. Describe the process used by the LWIB to review and/or initiate new policies.

661.300 (b) _____

6. Describe how the LWIB, or its members, takes an active role as part of its oversight responsibility (review, evaluation and monitoring) of the local One-Stop system.

661.305(a)(1) _____

7. Has the LWIB established local performance measures? **661.305(a)(5)**
Yes ____ No ____ (If yes, request a copy). If not, why? _____

8. Describe the LWIB's coordination with local economic development. **661.305(a)(7)**

9. Describe the LWIB's linkages with local employers. **661.305(a)(7)** _____

10. Describe how the LWIB promotes private sector involvement in the local workforce investment system. **661.305(a)(8)** _____

11. Does the LWIB have an established youth council? **661.305 (b)** Yes ____ No ____
If not, why? _____

12. Does the youth council membership include all of the required partners? **661.335:**
____ Members of the local board? ____ Members of services agencies (i.e. juvenile justice, local law enforcement)? ____ Members of public housing? ____ Parents? ____ Job Corp? ____ Other interested parties (former participants, other youth agencies)? ____ Others as deemed necessary by the LWIB?

13. Describe the youth council's linkages with local education agencies. **661.340 (e)** _____

14. Describe the selection criteria for youth providers. **661.340 (c)** _____

15. Does the LWIB directly provide core, intensive or training services? **661.310**

Yes ___ No ___ If yes, what services are provided? _____

(If the answer to #15 is only core and intensive services, answer question A. If the answer to #15 includes training services, answer questions A and B.)

A. Does the LWIB have written concurrence from the chief elected official and the state to provide these services? **661.310 (a)** Yes ___ No ___ (If yes, request a copy). If no, why? _____

B. Does the LWIB have a waiver to provide training services? **661.310(b)**
Yes ___ No ___ (If yes, request a copy). If no, why? _____

16. Is the LWIB certified as the local One-Stop operator? **661.310** Yes ___ No ___ (request a copy). If so, does the LWIB have written concurrence from the chief elected official and the state? Yes ___ No ___

17. Is any staff of the LWIB involved in the provision of core, intensive, or training services, or designated or certified as one-stop operator? **661.310(c)** Yes ___ No ___

Comments: _____

PART III Local Training/Service Provider

1. Does the LWIA have a copy of the local service provider list? Yes _____ No _____
If not, why? _____

2. Does the local training provider list contain providers who do not automatically (Higher Education Act/HEA, National Apprenticeship Act/NAA) qualify for "initial" eligibility status to the statewide training provider list? **663.515(c)(1)** Yes _____ No _____

3. Is there written documentation on file that the LWIB used the procedure developed by the Governor for determining the eligibility of these providers? **663.515(c)(3)(i)(ii)(iii)**,
Yes ___ No ___ If no, why not? _____

4. How was the Service Provider selected? **663.500** (Review the contract or agreement) _____

5. What "program of training services" is provided? **663.508** (Obtain written documents if possible.) _____

6. Who maintains, manage, and/or keep the training provider list and information updated? **663.510** _____

7. What are the requirements for the OJT and customized training providers? **663.595** _____

ATTACHMENT A

WIA Title I-B Adult/Dislocated Worker Monitoring Instrument (Attach Additional Sheets As Necessary)

Adult _____

Dislocated Worker _____

SECTION 1

Eligibility - WIA Funded Services

Eligibility- Intensive Services

1. Documentation of Core Services _____ Regs. 663.160

2. Determination of need for Intensive Services _____ Regs. 663.220(a)

a. Received at least one core service and unable to obtain or retain employment

b. Determined by one-stop operator to be in need of intensive services to obtain or retain employment (interview, evaluation or assessment) **663.220(b)**

3. Are there any participants who have been in the program for 90 days or more who have not received services? **TEGL 7-99 4.D** Yes _____ No _____ If yes, why? _____

Comments: _____

Eligibility-Training Services

1. Documentation of Intensive Services _____ Regs. 663.240(a)

2. Determination of Need-to-Train _____ Regs 663.240(b)

a. Received at least one intensive service and unable to obtain or retain employment **663.310(a)** _____

b. Determined by one-stop operator to be in need of training and to have the skills and qualifications to successfully complete the training program **663.310(b)**

c. Selected a training program directly linked to employment opportunities or is willing to relocate **663.310(c)**

d. Unable to obtain assistance from other sources (i.e., Pell) **663.310(d)**

e. Determined eligible through state and local priority system **663.310(e)**

Comments: _____

SECTION 2

Individual Training Account (ITA)

Information (Attach Additional Sheets As Necessary)

Name of Eligible Provider of Training Services: _____

Enrollment Date: _____ **Completion Date:** _____

Amount of ITA: _____

Type of Training: _____

1. Is the enrollment reflected in the AWIS data? _____

2. Does the provider appear on the LWIA's list of approved providers? _____

3. Can LWIA verify that the participant has met HEA and other grant requirements before applying for WIA funding? **663.310(d)** _____
If yes, how? _____

4. How is satisfactory progress documented? _____

5. How is attendance documented? _____

6. Does the ITA meet the LWIA's requirements for time duration and cost limitations?
663.420 _____

7. Has the ITA been amended? _____
If yes, explain. _____

8. Do costs reflect those indicated by the provider on the application for eligibility?

Comments: _____

ATTACHMENT B WIA Title I-B Youth Monitoring
Instrument Regulations Section 664
(Attach Additional Sheets As Necessary)

Youth _____

SECTION 1 Eligibility for Youth

Youth are not required to have received core and intensive services; however, they are required to be registered. 664.215(a) Of the files reviewed:

1. Is the Youth registered? Yes _____ No _____
2. Is the Youth age 14-21? Yes _____ No _____, What Age? _____, and

Note: Individuals 18-21 may be eligible for youth and/or adult services. 664.500 These individuals must be eligible under the youth or adult eligibility criteria, applicable to the services received. If the 18-21 individual is determined eligible as an adult, they must receive core and intensive services.

3. Which eligibility criteria does the individual meet? Adult _____ Youth _____
4. Is the Youth Low income as defined in WIA Section 101 (25)? Yes _____ No _____, and

NOTE: Five (5%) percent of youth participants served by youth programs do not have to meet the income criteria, but must have one of the following barriers 664.220:

- a) School dropout
- b) Basic skills deficient (as defined in WIA, section 101(4))
- c) One or more grade levels below the grade level appropriate for the individual's age
- d) Pregnant or parenting
- e) Possess one or more disabilities, including learning disabilities
- f) Homeless or runaway
- h) Face serious barriers to employment as identified by the local board.

5. If the youth does not meet the income criteria, which barrier does the Youth meet?

6. What form of documentation was used? _____

A disabled youth, if not qualified under the family income, is considered a low-income individual if the youth's own income:

7. Does the youth:
- a) Meet the income criteria as defined in WIA Section 101 (25) (B); or
Yes _____ No _____
 - b) Meet the income eligibility criteria for cash payments as defined in WIA Section 101(25)(F). Yes _____ No _____
8. Does the Youth have one or more of the following barriers? Yes _____ No _____
If yes, which barrier(s) _____
9. Is the individual:
- a) Deficient in basic literacy skills (as defined by state or local policy) 664.205(a)
Yes _____ No _____
 - b) School dropout Yes _____ No _____
 - c) Homeless, runaway or foster child Yes _____ No _____
 - d) Pregnant or parenting Yes _____ No _____
 - e) Offender Yes _____ No _____
 - f) Individual who requires additional assistance to complete an educational program, or to secure and hold employment (as defined by state or local policy) 664.210 Yes _____ No _____

An out-of-school youth is a school drop out or a youth that has either graduated from high school or holds a GED, but is basic skills deficient, unemployed or underemployed (664.300). A youth that is attending an alternative school is not an out-of-school youth (664.310).

10. Is the individual an out-of-school Youth? Yes _____ No _____

SECTION 2 **PROGRAM DESIGN**

The program provider must:

Provide an objective assessment which includes a review of academic and occupational skill levels and service needs. (Note: The provider may use a recent objective assessment that was developed under another educational or training program.) 664.405(a)(1)

1. Does the individual's file include an assessment? Yes _____ No _____

Develop an individual service strategy (ISS), which identifies a career goal and a consideration of the assessment results. Note: The provider may use a recent

individual service strategy that was developed under another educational or training program. 664.405(a)(2)

2. Was an ISS developed, identifying a career goal? Yes _____ No _____
3. Does the individual's file indicate a consideration of the assessment results?
Yes _____ No _____

Provide preparation for postsecondary educational opportunities, provide linkages between occupational and academic learning, provide preparation for employment and provide effective connections to intermediary organizations that provide strong links to the job market and employers.

4. Does the individual's assessment:
- a. Provide for postsecondary educational opportunities? Yes _____ No _____
 - b. Provide for linkages between occupational and academic learning? Yes _____ No _____
 - c. Provide for the preparation for employment ? Yes _____ No _____ and,
 - d. Provide effective connections to intermediary organizations that provide strong links to the job market and employers? Yes _____ No _____
5. Are there any participants who have been in the program for 90 days or more who have not received services? **TEGL 7-99 4.D** Yes _____ No _____ If yes, why? _____
-

Local programs must make the following program elements available to youth.
Please indicate if they are available:

- 1) Tutoring, study skills training, and instruction leading to secondary school completion, including dropout prevention strategies Yes _____ No _____
- 2) Alternative secondary school offerings Yes _____ No _____
- 3) Summer employment opportunities directly linked to academic and occupational learning Yes _____ No _____
- 4) Paid and unpaid work experiences, including internships and job shadowing (as defined in section 664.460 and 664.470) Yes _____ No _____
- 5) Occupational skill training Yes _____ No _____
- 6) Leadership development opportunities (as defined in section 664.420)
Yes _____ No _____
- 7) Supportive services (as defined in section 664.440) Yes _____ No _____
- 8) Adult mentoring for a duration of at least twelve (12) months Yes _____ No _____

9) Follow-up services (as defined in section 664.450) Yes _____ No _____

10) Comprehensive guidance and counseling Yes _____ No _____

SECTION 3 Concurrent Enrollment

Eligible individuals who are 18-21 may participate in adult and youth programs concurrently. These individuals must be eligible under the youth or adult eligibility criteria applicable to the services received. Only those individuals 18-21 who qualify as an adult may use the Individual Training Account system.

1. Are there concurrent enrollments? Yes _____ No _____

2. Which eligibility criteria does the individual meet? Youth _____ Adult _____

3. Does the individual have an Individual Training Account? Yes _____ No _____

SECTION 4 Summer Employment

Local boards are required to offer summer youth employment opportunities that link academic and occupational learning. Summer youth is not designed to be a stand-alone program.

Youth who participate in summer employment opportunities must be provided a minimum of twelve (12) months of follow-up services.

1. Is the Youth enrolled in a summer youth program? Yes _____ No _____

2. Is the summer employment linked with an academic and occupational learning skill?
Yes _____ No _____

3. Does the individual's file indicate follow-up activity? Yes _____ No _____

4. What is the time period of the follow-up activity? _____

Comments: _____

ATTACHMENT C Contract and Self-Monitoring
661.305(a)(1); 667.400

SECTION 1 Self-Monitoring

1. Who is responsible for oversight and monitoring of WIA Title I (service provider and contract) grant supported activities? _____

2. What are the oversight and responsibilities of the recipients and subrecipients (service providers)? **667.410**

Recipient: _____

Subrecipient/Contractor: _____

Service Provider: _____

3. Who is responsible for the resolution of findings from monitoring and oversight reviews at each level?

Recipient: _____

Subrecipient/Contractor: _____

Service Provider: _____

4. Are there written procedures for resolving findings arising from audits, investigations, monitoring and oversight reviews? **667.500** Yes _____ No _____ (Review copy.)

5. Do the resolution procedures include follow-up procedures?

6. Is there a written monitoring report(s) available for any contract? Yes _____ No _____

7. What deficiencies, if any, were noted in the report(s)? _____

8. Are actions specified to correct the noted deficiencies? Yes _____ No _____

9. Was follow-up completed to ensure corrective actions were implemented?

Yes _____ No _____

10. Have contract(s) been monitored for possible deobligation of funds? Yes _____ No _____

SECTION 2

Contract/Budget Review

Funding Title	Contract Amount	Expended	Current/Modification	Administration
_____	\$ _____	\$ _____	\$ _____ / \$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____ / \$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____ / \$ _____	\$ _____
Total	\$ _____	\$ _____	\$ _____ / \$ _____	\$ _____

Total Workforce ____ # of Contract Slots ____ # Served to Date ____ # Currently Enrolled ____

4. Are funds being expended at an acceptable level? Yes ____ No ____

5. Has the contractor been informed that the spending level was unacceptable?
Yes ____ No ____

**On-the Job Training Contract Review -Section 663.700
Adults, Youth, Incumbent Workers**

SECTION 3

Receipt of Services

1) Is the individual receiving OJT services an:

Adult ____ or a: Dislocated Worker ____ or a: Youth ____ (18 or below)

If so, is there an identified need in the objective assessment and Individual Service Strategy? Yes ____ No ____

Is the individual an Incumbent Worker? Yes ____ No ____

If so, does the OJT relate to new technologies, new production or service procedures, upgrading requiring new skills, workplace literacy, or an appropriate purpose identified by the LWIB.

SECTION 4

Contract Boilerplate Review

The Contract boilerplate must specify all of the following items.

On-the-job training contracts shall not be entered into with employers who have received payments under previous contracts and have exhibited a pattern of failing to provide participants with continued long term employment as regular employees with wages and employment benefits and working conditions at the same level and to the same extent as other employees working a similar length of time and doing the same type of work. **195(4)**

1. Has the employer been used as an OJT Contractor before? Yes ____ No ____

2. Did the OJT Contractor exhibit a pattern of failing to provide participants with continued long term employment the same as regular employees with wages and employment benefits and working conditions, at the same level and to the same extent as other employees working a similar length of time and doing the same type of work?
Yes _____ No _____ If no, explain: _____

No funds provided under this Act shall be used or proposed for use to encourage or induce the relocation of an establishment or parts thereof, that results in a loss of employment for any employee of such establishment at the original location. **181(d)(1)**

3. Did/does the contract encourage or cause the relocation of an establishment or parts thereof? Yes _____ No _____ If yes, explain: _____

4. Did/does the contract encourage or cause a loss of employment for any employee of the establishment at its original location? Yes _____ No _____

No funds provided under this Act shall be used for OJT training for any establishment or parts thereof, that has relocated, until 120 days after the date on which such establishment commences operation at the new location, if the relocation will result in the loss of employment for any employee of such establishment at the original location. **181(d)(2)**

5. If the answer to number 3 above is yes, has it been 120 days since the date on which such establishment commenced operation at the new location? Yes _____ No _____

6. Did the relocation result in the loss of employment for any employee of the establishment at the original location? Yes _____ No _____

7. Do the payments made to any employer for OJT average more than 50% of wages paid to participants? **101(31)(B)** Yes _____ No _____

Individuals employed in activities authorized under this Act shall be paid wages which shall not be less than the highest of (1) the minimum wage under **section 6(a)(1) of the Fair Labor Standards Act of 1938**, (2) the minimum wage under applicable State or local minimum wage law, or (3) the prevailing rates of pay for individuals employed in similar occupations by the same employer. **181(a)(1)(A)**

8. What is the hourly wage rate paid by the employer (including the wages paid under the contract? Highest hourly wage: _____ Lowest hourly wage: _____ Hourly Wage(s) of the participants: _____ Comments: _____

9. Are the individuals employed under the contract activities provided benefits and working conditions at the same level and same extent as other employees working a similar length of time and doing the same type of work? **181(b)(5)** Yes _____ No _____ If no, explain:

10. Are the health and safety standards established under State and Federal law, otherwise applicable to working conditions of employees, equally applicable to working conditions of participants? **181(b)(4)** Yes _____ No _____ If no, explain: _____

11. Is workers compensation provided? **181(b)(4)** Yes _____ No _____

12. Were any currently employed worker(s) displaced by any participant (including partial displacement) such as a reduction in the hours of non-overtime work, wages or employment benefits. **181(b)(2)(A)** Yes _____ No _____

13. Are any OJT contracts funded by WIA impaired by (a) existing contracts for services or (b) existing collective bargaining agreements. **181(b)(2)(B)** Yes _____ No _____ If yes, explain: _____

No OJT contract funded by WIA shall be entered into or job opening filled when: (1) any other individual is on layoff from the same or any substantially equivalent job, or (2) the employer has terminated the employment of any regular employee or otherwise reduced its workforce with the intention of filling the vacancy so created by hiring a participant whose wages are subsidized under the Act. **181(b)(3)(A)(B)**

14. Are there any indications that OJT contracts have been entered into or funded by WIA indicating that another individual was on layoff from the same or any substantially equivalent job, indicating that the employer had the intention of filling the vacancy so created by hiring participant(s) whose wages are subsidized under the Act? Yes _____ No _____ If yes, explain: _____

15. Are there any indications that OJT contracts have been entered into or funded by WIA that indicates that the employer has terminated the employment of any regular employees or otherwise reduced its workforce with the intention of filling the vacancy so created by hiring a participant whose wages are subsidized under the Act? Yes _____ No _____

16. Are there any indications that jobs have been created in a promotional line that infringes in any way upon the promotional opportunities of currently employed individuals? **181(b)(3)(C)** Yes _____ No _____

17. Are there any indications that funds under the Act or any contracts will be, or have been, used to assist, promote, or deter union organizing? **181(b)(7)** Yes _____ No _____

18. Are grievance procedures maintained. **181(c)** Yes _____ No _____

19. Is the employer in compliance with the prohibitions against discrimination? **188(a)** Yes _____ No _____ Are signs posted? Yes _____ No _____

20. Is there any indications, or the appearance thereof, of any discrimination because of race, color, religion, sex, national origin, age, disability and political affiliation or belief? **188(a)(2)** Yes _____ No _____ If yes, explain: _____

21. Are there, with respect to terms and conditions affecting or rights provided to individuals who are participants in activities supported by funds provided under this Act, any individual who has been discriminated against solely because of their status as such participants? **188(a)(4)** Yes _____ No _____ If yes, explain: _____

22. Are any participants employed on the construction, operation or maintenance of any facility as is used or to be used for sectarian instruction or as a place for religious worship? **188(a)(3)** Yes _____ No _____ If yes, explain: _____

23. Are systems in place for records access and retention. **185(f) and 29 CFR 97-42(b)**
Yes _____ No _____

SECTION 5 **General Information 663.700**

1. Has the LWIA determined that the employer is a candidate for OJT?
Yes _____ No _____

2. Is the LWIA's employer selection criterion, including policies and definitions, in the contract? Yes _____ No _____

3. What are the participant completion and retention rates for this employer in each previous OJT contract? _____

4. Has this contract been monitored by the LWIA? Yes _____ No _____ if no, explain.

5. Were any deficiencies identified? Yes _____ No _____ If yes, what corrective actions occurred? _____

6. Does the ISS justify placing this individual in an OJT contract? Yes _____ No _____
If no, explain. _____

7. Has an ISS/IEP for each participant been developed which documents how the length of training was determined? Yes _____ No _____ if no, explain. _____

8. Does the contract include requirements for selection of participants? Yes _____
No _____ If no, explain: _____

9. Were the requirements followed? Yes _____ No _____ If no, explain: _____

10. Is a job description and training outline included in the contract? Yes _____ No _____
If no, explain: _____

11. Is the type of training consistent with the participant's ISS? Yes _____ No _____
If no, explain: _____

12. Is the reimbursement amount equal to no more than 50% of the wage rate paid to the
participant? Yes _____ No _____ If no, explain: _____

13. Is the participant's wage specified in the contract? Yes _____ No _____

14. Was any participant employed prior to the effective date of the contract? Yes _____
No _____ If yes, explain: _____

15. What is used to document the number of hours worked? _____

16. Does the employer sign the documentation? Yes _____ No _____ If no, explain: _____

17. Does the participant sign the documentation? Yes _____ No _____ If no, explain: _____

18. Is this contract through a brokering agent? Yes _____ No _____ If yes, complete
Section IV.

SECTION 6 Brokered On-the-Job Training

1. Are participants placed with employers through a brokering agent? Yes _____ No _____
If no, do not complete this section.

2. Does the contract clearly differentiate the services to be provided by the brokering contractor, the OJT employer and subcontractor, if any, including services provided with or without cost? Yes _____ No _____ if no, explain. _____

3. Are the costs for services specified in the contract? Yes _____ No _____ if no, explain.

4. Are the costs for services supported by the invoices? Yes _____ No _____ if no, explain. _____

5. Has the brokering contractor conducted an on-site monitoring of the OJT employers and other subcontractors to verify compliance with subcontract terms before making payments? Yes _____ No _____ If no, how is it determined that there is compliance before making payments? _____

6. Has the LWIA monitored the broker contract? Yes _____ No _____