



Higher Education Coordinating Commission Office of Workforce Investments Policy	
Subject: Incident Reporting	
Focus:	<input checked="" type="checkbox"/> WIOA Title I <input checked="" type="checkbox"/> National DWG <input type="checkbox"/> State Grants <input type="checkbox"/> Other:
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Overview

Guidance from the Department of Labor (DOL) Employment and Training Administration (ETA) provides procedures to be used by all ETA federal assistance recipients and subrecipients for reporting suspected fraud, program abuse, or criminal conduct involving recipients or other entities receiving federal awards directly from ETA, or involving subrecipients receiving federal funds indirectly from ETA.

Policy Statement

It is the policy of the Higher Education Coordinating Commission Office of Workforce Investments that they and subrecipients of ETA federal assistance will immediately report known or suspected fraud, program abuse, or criminal misconduct involving recipients, subrecipients, or contracts under federal awards from ETA, in accordance with the procedures set forth in Training and Employment Guidance Letter (TEGL) No. 15-23.

Procedures

Allegations, suspicions, and complaints involving possible fraud, program abuse and criminal misconduct must be documented immediately.

The process of reporting incidents consists of two steps: (i) reporting allegations of fraud, waste and abuse, criminal and other illegal or improper activities in ETA-funded grant programs and operations to the Office of Inspector General (OIG); and (ii) reporting the same to ETA, using the process described below.

Grantees and subrecipients must promptly disclose whenever, in connection with the federal award (including any activities or subawards thereunder), it has credible evidence of the commission of a violation of federal criminal law involving fraud, conflict of interest, bribery, or gratuity violations found in Title 18 of the United States Code, or a violation of the civil False Claims Act (31 U.S.C. 3729-3733).

While all incidents should be reported as expeditiously as possible, situations involving imminent health or safety concerns, or the imminent loss of funds exceeding an amount larger than \$50,000 are considered emergencies and must immediately be reported to the OIG and ETA no later than one working day after the emergency was discovered.

Reporting the Incident to the OIG Hotline Portal – Incidents and allegations involving ETA recipients and programs should be reported to the OIG by completing the relevant fields contained in the OIG Hotline Portal (<https://www.oig.dol.gov/hotline.htm>).

When submitting an incident to the OIG Hotline Portal, please note the following: Screen shots or photos must be taken of each of the three OIG Hotline Portal screens (Your Information, Alleged Violator Information, and Allegation Information) prior to clicking the "Next" button to be able to complete Step ii of the process (reporting the incident to ETA). This is important, as once the "Submit" button is clicked, the OIG Hotline Portal does not allow users to go back and review/capture what was submitted, nor print or download a copy of the incident report for the submitter's records.

The *Your Information* screen contains a field requesting the submitter's social security number (SSN). This is not a required field, and it is recommended that the submitter not provide it. However, if you decide to provide your SSN to the OIG, please ensure it is redacted before providing the screen shots or photos to ETA via email.

To ensure proper identification of your submission as an incident report, in the *Allegation Description* box on the *Allegation Information* screen, please start by entering "ETA Incident Report - " and then go on to describe the allegation.

Reporting the Incident to ETA – ETA takes allegations of any type of improper activity seriously and needs to have the same information that is being submitted to the OIG Hotline Portal for developing its oversight and monitoring strategies. Therefore, the individual filing the incident report should send the screen shots or photos taken of each of the three OIG Hotline Portal screens to ETA via email at:

ETAIncidentReporting@dol.gov.

The subject line of the email should contain: "ETA Incident Report – [State Name]" for easy identification of the ETA Regional Office that needs to be provided the information to evaluate as part of ETA's overall grant monitoring and oversight responsibilities.

Prohibition and Reprisals – No action should be taken against any individual for providing information in accordance with these procedures or disclosing information concerning criminal or improper activities or making an incident report to proper authorities. Individuals reporting incidents may remain anonymous if they so choose.

Incident Referrals – When the OIG receives an incident report from any source, the OIG determines whether the allegations have merit and, when appropriate, conducts or arranges for an investigation and/or audit. However, in instances where the OIG determines that the incident report does not have investigative or audit merit, the incident report is referred to ETA for resolution. In these instances, depending on the circumstances, ETA will either forward the incident report to the recipient to research and report back, or ETA will work with the recipient to analyze and report on the incident. When an incident report is referred to a recipient, the recipient must prioritize this activity, so ETA can report the resolution to the OIG in a timely manner.

Reporting procedures do not supersede the responsibility to safeguard WIOA funds by taking prompt and appropriate corrective action. Whenever the entity reporting the allegation of an incident believes that immediate action to prevent further financial loss or other damage is necessary, or recovery of funds or property may be impeded if immediate action is not taken, the reporting entity has the responsibility to take any action it deems appropriate, including contacting the local law enforcement agency.

Required Action

Local Workforce Development Boards must establish an Incident Reporting policy which requires their subrecipients, program providers, and staff to immediately report alleged, suspected, or known fraud, program abuse, or criminal misconduct which impacts DOL-ETA funding. The policy must ensure that all incidents are reported in accordance with the processes outlined in TEGE No. 15-23.

Contact

Questions are to be referred to hecc.owi-workforce-policy@hecc.oregon.gov.

References

Training and Employment Guidance Letter (TEGL) No. 15-23, Employment and Training Recipient Responsibilities for Reporting Instances of Suspected Fraud, Program Abuse, and Criminal Conduct