

Incident Reporting


Chapter: 8 **Section:** 3.7.2

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Allegations regarding fraud, program abuse or criminal misconduct in WIOA programs shall immediately be reported to the US Department of Labor (USDOL) Office of Inspector General (OIG), USDOL Employment and Training Administration (ETA) and the Illinois Department of Commerce and Economic Opportunity. The process in the Incident Reporting - Notifications section of this policy outlines how reporting should occur.

Incident Reporting – Notifications


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1. Provide LWIA staff, subrecipients and contractors the information in this policy.
- 2.

LWIA staff, sub-recipients and contractors must immediately report instances of suspected, or known fraud, program abuse, or criminal misconduct involving recipients, subrecipients, or contracts under Federal awards from the US Department of Labor (USDOL) US Department of Labor (USDOL) Office of Inspector General (OIG), USDOL Employment and Training Administration (ETA) and the Illinois Department of Commerce and Economic Opportunity following the procedures in this policy.

3. 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 Reporting – Reporting

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1. LWIA administrators are responsible for implementing the incident reporting procedures set forth in this policy and Training and Employment Guidance Letter (TEGL) 15-13.
 - a. The LWIA must follow the reporting procedures outlined in this policy (within one (1) workday of the detection or discovery of the incident.
 - b. Additionally, the LWIA will identify a central point person to submit and track any reports taken. The Complaint Officer may be used for this role.
2. **Identifying and Documenting Incidents** LWIA administrators must immediately document allegations, suspicions and complaints involving possible fraud, program abuse and criminal misconduct. If LWIA staff is unsure if a situation qualifies as an “incident” based on the definitions and examples outlined in TEGL 15-13, the LWIA staff should err on the side of caution and report it in accordance with the procedures discussed below.
3. **Reporting Incidents** –The process of reporting incidents consists of three steps: (i) reporting allegations of fraud, waste and abuse, criminal and other illegal or improper activities in USDOL-funded grant programs and operations to the USDOL OIG; and (ii) reporting the same information to the USDOL ETA, and (iii) reporting the same information to the DCEO using the process described below.
 - a. **Reporting the Incident to the OIG Hotline Portal** – Incidents and allegations involving ETA recipients and programs should be reported to the USDOL 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:
 - 1) 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.*
 - 2) 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.
 - 3) 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.

- b. **Reporting the Incident to the USDOL ETA** –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.
- 1) 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.
 - 2) Attachment II of TEGL 15-23 provides step-by-step instructions on how to submit an incident report in the OIG Hotline Portal and capture and submit the screen shots or photos to ETA.
- c. **Reporting the Incident to DCEO** – The individual filing the incident report should email the screen shots or photos taken of each of the three OIG Hotline Portal screens *and* any additional supporting documentation to the OET Deputy Director at Julio.Rodriguez@Illinois.gov and the OET Division Manager at John.W.Barr@Illinois.gov.

Incident Reporting – Fact Finding


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1. The USDOL OIG, upon receipt of an allegation, will make a determination as to whether an investigation will occur at the federal or state level. Notice of this determination will be provided in writing to the Department.
2. If the OIG elects to investigate the allegation(s), The Department will postpone resolution until the investigation is complete.
3. Should the USDOL/OIG elect for the investigation to occur at the state level, the Department may initiate a review or an investigation by the appropriate state entities. Under some circumstances, the Department shall have the responsible LWIA conduct the investigation.
4. If the allegation is against a customer receiving WIOA services, the LWIA may suspend such service(s) while the allegation is under investigation.
5. Regardless of which entity (USDOL or the Department) will complete the investigation, the DCEO will monitor the status of all WIOA incident reports.

Incident Reporting – Resolution


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1. Once the fact-finding is complete, a final determination will be issued by the conducting entity.
2. The final determination details the findings discovered during the monitoring review or investigatory process, including any regulatory citations, and where appropriate, any decision to allow or disallow costs, and actions that must be taken to recover disallowed costs.
3. .
4. The OET Monitoring Unit will follow up on all Incident Reports to ensure appropriate corrective action is taken.
5. LWIAs shall retain all records related to investigations initiated and completed for six (6) years after the date submitted to OET, its final expenditure report for the funding period in which the investigation occurred, and where the investigation resulted in correction action.