

Attachment D

Local Administrative Assurances PY 2009

Local workforce areas must ensure that area staff, contractors and partners are accountable to all state and federal laws, regulations and policies. By signatures on the local Workforce Plan, the area assures the state that the following provisions will be met for PY **2009**:

1. Policies and procedures will be developed for soliciting and contracting with training providers for adult and dislocated worker training services that are not part of the Individual Training Account (ITA) system. [WIA Sec. 118 (b)(9)]
2. Policies and procedures will be developed for identifying and competitively procuring youth activity providers. Policies will include evaluation criteria used and desired program elements, as required by WIA. [WIA Sec. 118 (b)(9)]
3. Memoranda of Understanding (MOUs) have been established between the local Workforce Investment Board and: a) all required WIA partners; and b) other partners participating in the local One-Stop system. [WIA Sec. 118 (b)(2)(B)] The MOUs will be considered part of the area's comprehensive WIA plan and will be available locally for review upon request.
4. Area staff, partners and subcontractors will comply fully with the nondiscrimination and equal opportunity provisions of the following laws:
 - Section 188 of the WIA, which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the United States or participation in any WIA Title I-financially assisted program or activity;
 - Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the bases of race, color and national origin;
 - Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities;
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 - The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age; and
 - Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs.

5. No funds received under the WIA will be used to assist, promote or deter union organizing. [WIA Sec.181 (b)(7)]
6. The local Workforce Investment Board assures that all awards of federal and state funds shall be accounted for using generally accepted accounting principles, and treated in accordance with federal cost principles that apply to the type of entity receiving funds, including OMB Circular A-87 for units of state or local government; A-21 for institutions of higher learning; A-122 for private, non-profit organizations; and 48 CFR, Part 31 for private, for-profit organizations.
7. The local Workforce Investment Board assures that audits of covered organizations shall conform to the federal Single Audit Act and OMB Circular A-133.
8. The area's financial management system will satisfactorily account for and document the receipt and disbursement of all WIA funds. Further, effective internal controls in place will safeguard assets and ensure their proper usage (including property location and usage). [WIA Sec. 184 (a)(1)]
9. The local area's financial system will permit the tracking of program income and potential stand-in costs. [WIA Sec. 185 (f)(1)&(2)]
10. The local area will prepare and submit required financial reports in a timely manner, and WIA operations funded wholly or in part with state and/or federal funds will maintain financial and program records with all supporting documents for at least three years from the date of submission of the closeout reports for each program. [WIA Sec. 185 (e)(1)]
11. Any information or records concerning an individual or employing unit obtained by the Georgia Department of Labor in the administration of the Employment Security Law or other federally funded programs for which the department has responsibility are, by law, private and confidential [O.C.G.A. 34-8-120 et seq.]. The area agrees to abide by all state and federal laws, rules and regulations regarding the confidentiality of such records. There are criminal sanctions for unauthorized release of such information. The area further agrees not to divulge any private or confidential information concerning any individual or employing unit to any unauthorized person without the informed consent of both the individual employee and the related employing unit, or, when applicable, of a particular customer. The Georgia Open Records Act requires government agencies and their private contractors to allow inspection of "public records" by citizens who request such inspection [O.C.G.A. 50-18-70 et seq.]. Georgia Department of Labor information and records on individuals and employing units described above are exempt from the disclosure requirements of the Georgia Open Records Act. The area agrees to fully comply with the Georgia Open Records Act, which may require a timely written response (within three days of the inspection request) denying inspection of such records and stating the applicable statutory authority for denying the request.
12. Local areas will comply with the security and privacy standards of Public Law 104-191 - the Health Insurance Portability and Accountability Act of 1996

13. Veterans and other *qualified* persons will be provided priority in USDOL-funded workforce services in accordance with the Jobs for Veterans Act (P.L. 107-288), (38 USC 4215) *and Jobs for Veterans Act Final Rule (20 CFR part 1010) published at 73 Fed. Reg. 78132 (December 19, 2008)*.
14. Migrant and seasonal farm workers will be provided the same range and quality of services as non-migrants, and equity of service will be afforded to migrant and seasonal farm workers in all labor exchange services provided in the area. [20 C.F.R., Part 653]
15. Local areas will comply with section 101 of Public Law 109-149 which limits the salary and bonus compensation for individuals who are paid by funds appropriated to the Employment and Training Administration and provided to recipients and sub-recipients.

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