



Montana Department of LABOR & INDUSTRY

Division: Workforce Services Division
Category: WIOA
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Policy No.: 04-18

Monitoring and Audits Policy

Background: Montana Department of Labor and Industry (MTDLI) must conduct regular oversight and monitoring of WIOA Title I to ensure compliance with WIOA provisions, laws, and regulations. The monitoring and audits process also provides an opportunity to strengthen and continuously improve workforce development programs and systems.

Scope: This policy applies to all service providers operating WIOA Adult, Dislocated Worker or National Dislocated Worker Grants (DWG), Youth programs, Jobs for Veterans State Grants (JVSG) Program, Work Opportunity Tax Credit (WOTC), Senior Community Service Employment (SCSEP) programs, and Adult Education and Family Literacy Act (AEFLA) programs; and WIOA Adult, Dislocated Worker or National Dislocated Worker Grants (DWG), Youth, JVSG, WOTC, SCSEP, and AEFLA program managers, fiscal officers, and the monitoring team. This policy is effective April 1, 2025.

Policy:

A. Monitoring Definitions:

- **Commendation:** Given when the monitor observes consistently good service provider practices.
- **Compliance Findings:** When the monitor observes a practice that violates law, regulation, contract, or policy; for example, missing documentation required for enrollment, eligibility, MIS standards, etc. Deficiencies regarding overall program and/or case management policy would be a compliance finding. The compliance finding is immediately followed by an “action required.” A compliance finding will reference the law, regulation, contract, or policy that must be followed.
- **Area of Concern:** When the monitor finds a questionable practice, possibly leading to non-compliance of law, regulation, contract, or policy. An area of concern does not meet the threshold of compliance finding.
- **Questioned Cost:** Payments appearing to be in violation of policy, regulation, contract, or law. The payment is questioned until the provider has a chance to respond and resolve the discrepancy.
- **Disallowed Cost:** Unallowable purchases and/or incorrect or missing documentation that is a clear violation of policy, regulation, contract, or law. The provider has the responsibility to reimburse the program with non-federal funds. Providers can collect repayment from the participant, if applicable, but it is at their discretion. The responsibility lies with the provider to repay the cost within the report/response deadline in the monitoring report.

B. Process Overview:

- The Program Monitoring Unit conducts annual program, data, and fiscal monitoring of service providers.

- Monitoring and/or limited scope reviews may consist of interviews with appropriate staff and reviews of policies, procedures, accounting reports, source documents, and other records as considered necessary pertaining to any or all of the WIOA activities including:
 - Fiscal
 - WIOA Title I including National DWG programs
 - Title II Adult Education and Family Literacy Act (AEFLA) program
 - Management Information System (MIS)
 - Eligible Training Provider List (ETPL) or
 - Nondiscrimination, disability, and/or Equal Opportunity (EO).
- Monitoring and/or limited scope reviews that may include the process detailed in lines 37-39, pertaining to:
 - SCSEP
 - WOTC
 - JVSG
- Members or representatives of entities such as MTDLI, State Workforce Innovation Board (SWIB), or U.S. Department of Labor (USDOL) may accompany on-site monitors.

1. Compliance

- Regular monitoring of program activities and providers of basic and individualized career services is conducted to ensure compliance with requirements including:
 - Compliance with the uniform administrative requirements described in WIOA Title I Section 181 and administrative requirements in 2 CFR 200, including the appropriate administrative requirements and applicable cost principles in WIOA Regulations, Subpart B;
 - Determining that expenditures have been made against the cost categories and within the cost limitations specified in the Act and Regulations;
 - Compliance with the nondiscrimination, disability and equal opportunity requirements of WIOA Section 188 and 29 CFR part 38;
 - Compliance with data collection and reporting system policies and procedures; and
 - Determining whether there is compliance with other provisions of the Act and the WIOA regulations; and other applicable federal or state laws and regulations.

2. Corrective Action

- If the Workforce Services Division (WSD) Monitoring Unit finds fiscal or programmatic noncompliance, monitoring staff will recommend corrective action to secure prompt compliance.
- Monitoring staff will provide service providers and program managers with a written summary of identified errors or missing data and a request to correct the inaccuracies.
- Service providers will respond in writing with appropriate documentation and information in order to correct identified errors, missing data, or inaccuracies.
- The Monitoring Team will respond in writing when all deficiencies have been addressed.
- Prompt corrective action must be supported in the following ways:
 - Technical assistance as necessary and appropriate;
 - Monitoring staff will provide technical assistance related to monitoring and monitoring findings.
 - Written referral by the Monitoring Unit Supervisor to the WSD Administrator, noting a service provider's failure to take the required corrective action.
 - SWIB bears authority to determine if deficiencies warrant sanctions and impose them.

References:

- [20 CFR 683.400 Subpart D Oversight and Resolution of Findings](#)

- 85 • [2 CFR 200 Uniform Administrative Requirements](#)
- 86 • [29 CFR 37 Nondiscrimination and Equal Opportunity](#)
- 87 • [WIOA Section 181 Requirements and Restrictions](#)
- 88 • [WIOA Section 184 Fiscal Controls and Sanctions](#)
- 89 • [WIOA Section 188 Nondiscrimination](#)