



## NEW YORK STATE WORKFORCE DEVELOPMENT SYSTEM TECHNICAL ADVISORY

### Workforce Development System Technical Advisory #10-6

**TO:** Workforce Development Community

**DATE:** April 30, 2010

**SUBJECT:** Timely and Accurate Submission of Financial Reports for Workforce Investment Act (WIA) Funds

***Purpose:***

To notify the Local Workforce Investment Areas (LWIAs) of an updated policy for timely and accurate submission of the required monthly expenditure reports and to provide clarification of USDOL's administration and financial accounting requirements

**This technical advisory rescinds and replaces TA#05-11 and #05-11.1**

***Background:***

New York State Department of Labor (NYSDOL) policy requires that financial reports for Workforce Investment Act (WIA) funds awarded to local areas be submitted monthly.

Section 667.200(a) of the WIA Rules and Regulations describes the uniform fiscal and administrative requirements that each local area must follow, which includes accurate financial reporting.

Each LWIA must submit Monthly Accrued Expenditure Reports (AERs) to the NYSDOL. The WIA monthly report is due by the 20th day of the month following the month being reported.

These reports should be emailed to the DEWS mailbox at [DEWS.AERS-TAA@labor.state.ny.us](mailto:DEWS.AERS-TAA@labor.state.ny.us), the local area's State Representative, and the Fiscal Oversight and Technical Assistance (FOTA) Representative. Additionally, a printed copy, signed by an authorized signatory for the LWIA, must be mailed to:

Ms. Patricia Jabonaski (WIA)  
Division of Employment and Workforce Solutions  
Office of Workforce Investments  
NYS Department of Labor  
Governor Averell Harriman State Campus  
Building 12, Room 290  
Albany, New York 12240

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**Policy:**

Procedures and Penalties for Late and/or Inaccurate Reporting:

LWIAs that have not submitted all their WIA monthly financial reports in accordance with the due dates and/or have submitted reports that are substantially inaccurate within a twelve (12) month period, will be subject to the following:

1. For the first occurrence, cash will be suspended until the local area submits the report with a written explanation (email is acceptable) explaining why the report is late or inaccurate. The explanation must:
  - a. Outline the reason(s) for the late or substantially inaccurate submission of the report(s);
  - b. Describe the action being taken to remedy the problem;
  - c. Indicate the date the accurately revised or delinquent report(s) will be submitted to the State for approval. (In no case should the submission of the accurately revised or delinquent report be more than 45 days after the end of the reporting period). For example, the December report must be submitted by February 14th;
  - d. Note any technical assistance needed to correct the problem.

The written explanation should be sent to:

Mr. Rocco Tenenini  
Division of Employment and Workforce Solutions  
Office of Workforce Investments  
New York State Department of Labor  
Governor Averell Harriman State Campus  
Building 12, Room 290  
Albany, New York 12240  
Email: [Rocco.Tenenini@labor.ny.gov](mailto:Rocco.Tenenini@labor.ny.gov)

A copy must also be sent to the local area's FOTA and State Representative. If a written explanation is not received within five (5) days the LWIA will be subject to #2 below.

2. For the second occurrence, the local area's authority to draw down cash will be suspended for two weeks. This suspension will take place as soon as it is determined that the LWIA is not in compliance with the Department's reporting policy for the second time.
3. For the third occurrence, the local area's ability to draw cash will be suspended indefinitely until a formal meeting takes place between NYSDOL and the LWIA to reach a solution to the corrective actions needed.

LWIAs will be notified via email if they are subject to any of the penalties above. This notification will be sent to the LWIB Director and the Fiscal Manager.

***Inquiries:***

Questions concerning this Technical Advisory can be directed to Maryrose Walsh at (518) 457-0505 or may be sent via e-mail to [Maryrose.Walsh@labor.ny.gov](mailto:Maryrose.Walsh@labor.ny.gov)

***References:***

667.200(a) of the WIA Rules and Regulations, Title 29 section 97.3 of the Code of Federal Regulations pertaining to the U.S. Department of Labor