

**Southern Nevada Workforce Investment Board
General Policy & Procedure
NON-COMPLIANCE SANCTIONING PROCESS**

EFFECTIVE DATE: July 11, 2003

NUMBER: 5.2

AUTHORIZATION: SNWIB Manager

BACKGROUND:

This policy shall be used in conjunction with all federal, state and local laws, statutes, regulations and policies. The purpose of this policy is to outline the Southern Nevada Workforce Board's (SNWIB) process for levying sanctions against service providers and subrecipients for non-compliance and/or failure to adhere to the SNWIB established guidance as outlined in federal, state and local policies.

I. GENERAL PROVISIONS FOR SANCTIONING

Any time SNWIB service providers or subrecipients fail to comply with established federal, state or local laws, statutes, regulations and/or policies, sanctions shall be levied against such agencies within ten working days after notification of required corrective action (PINK—PAPER) notice. PINK—PAPER's shall be in written form and approved by the SNWIB board manager or deputy board manager. Prior to levying sanctions against service providers/subrecipients, the SNWIB staff shall provide technical assistance and corrective action guidance to help service providers/subrecipients' overcome shortfalls and/or deficiencies.

II. TYPES OF SANCTIONS

A. Sanctions shall be in the form of withholding service providers/subrecipients' reimbursement payments, denial of advanced reimbursement requests, frequent on-site reviews by SNWIB staff, required approval by the SNWIB prior to any expenditures, reduction in awarded funds and/or cancellation of awarded contract. Although not all inclusive, the following are general reasons for levying sanctions:

1. Failure to achieve performance measurements
2. Non-compliance with established regulations, laws, statutes, and policies
3. Failure to comply with contractual obligations and identified as a "high risk" service provider/subrecipient
4. Failure to respond to SNWIB after written notification

B. Service providers' will be notified of sanctions via RED—PAPERS when appropriate corrective action has not been completed within the required time period, and shall result in a reduction of funds awarded. When funding reduction is instituted as a result of sanctioning, the SNWIB staff

shall process a contract amendment for execution with the amount of funds reduced for appropriate service provider.

III. **SANCTIONING FUNDING INCREMENTS**

When sanctions are instituted, the board manager or deputy board manager shall levy sanctions in \$5,000 increments, not to exceed \$25,000 in a single program year per service provider/subrecipient. Monetary sanctions above \$25,000 shall be presented before the SNWIB Performance and Programs Committee for consideration.