

STATE OF FLORIDA
AGENCY FOR WORKFORCE INNOVATION
OFFICE OF INSPECTOR GENERAL

INSTRUCTION

Incident Reporting System

1. PURPOSE

To establish the procedures for reporting allegations of possible fraud, misfeasance, nonfeasance, malfeasance, misapplication of funds, gross mismanagement and employee/participant misconduct.

2. AUTHORITY

Section 20.055, Florida Statutes establishes the Office of Inspector General to provide a central point of coordination of and responsibility for activities that promote accountability, integrity, and efficiency in government. 20 CFR 667.630 requires that "information and complaints involving criminal fraud, waste, abuse or other criminal activity must be reported immediately through the . . . Incident Reporting System."

3. BACKGROUND

In the normal course of their work, workforce system managers, supervisors, team members and partners may become aware of instances of actual, potential, or suspected fraud and abuse in the operation of any program funded by State or Federal funds administered through the Agency for Workforce Innovation (AWI). Included in this category are instances of actual, potential, or suspected fraud and abuse in the operation of programs administered by grantees, contractors and partners. Other instances include violations of the standards of conduct by AWI team members, actual or suspected criminal violation of regulations, policies or misuse of public funds, or neglect/abuse of customers.

4. POLICY

- a. The Inspector General of AWI is designated the coordinator of all incident report resolution activities. AWI managers and Workforce Development Region management are responsible for immediately reporting all such actual or suspected violations they or their supervisors and employees uncover to the AWI Office of Inspector General. Possible violations should be reported using the Incident Report Form (copy attached) or other suitable means. The Office of Inspector General will then forward copies of the report to appropriate state and federal entities.
- b. The Inspector General, in consultation with the Director (or his designee) will provide direction on action to be taken by what entity, and will ensure that

federally mandated reporting requirements are met in a timely manner.

- c. All AWI team members and Regional staff shall be reminded by their management that no action will be taken against them for disclosing information or making a valid complaint.

5. PROCEDURE

- a. The Incident Report form is designed as the initial report to promptly inform the AWI Inspector General that an actual or suspected violation has occurred. It can also be used to inform the Inspector General of cases being investigated by or reported to other investigative agencies. Allegations judged to be of an emergency nature, and those receiving public exposure, should be reported immediately to the Office of Inspector General (OIG) by telephone; (850) 245-7141, SUNCOM 205-7141 (245-7138 or 245-7135). However, all telephone reports should be followed by prompt written or electronic notification to OIG, using the incident report form or other suitable means. Incident report forms or correspondence may be submitted electronically to james.mathews@awi.state.fl.us. Written reports should be submitted to:

Office of Inspector General
Agency for Workforce Innovation
C/O James F. Mathews
MSC #130, Caldwell Building
107 East Madison Street
Tallahassee, Florida 32399-4126

- b. Supplemental report information can be submitted on additional Incident Report forms or by letter or memorandum referencing the original incident report. The same procedure can be followed to report final incident resolutions and adjudications. Reports of final adjudications or imposition of administrative/disciplinary actions against a person or organization should be submitted to the OIG as soon as the results are known.
- c. Whenever questions arise regarding appropriate investigation of incidents and gathering or preservation of evidence, consultation should be sought with OIG or criminal investigative agencies as appropriate.
- d. The OIG will maintain a file on every incident report that will include any support documentation received and the entity assigned to investigate the issue(s) raised. Entities assigned to investigate reported incidents will forward all important or controversial findings that need immediate attention to the OIG as soon as developed. A final investigative report will be forwarded to the OIG upon the resolution of incident report issue(s) for any required responses and inclusion in the OIG files.

6. DEFINITIONS

- a. Fraud, Misfeasance, Nonfeasance, or Malfeasance: In the operation of any program funded by State or Federal funds administered by the Agency for

Workforce Innovation, actions which constitute the omission of an act a person ought to do, the improper performance of an act a person might lawfully do, or the performance of an act a person ought not to do. This category includes, but is not limited to, indications of bribery, forgery, extortion, embezzlement, theft of participant checks, kick backs from participants, and intentional payments to a contractor without the expectation of receiving services.

- b. Misapplication of Funds: Misapplication of funds should be considered as any alleged use of funds, assets or property not authorized or provided for in the grant or contract. This category includes, but is not limited to, nepotism, political patronage, use of participants for political activities, ineligible enrollees, conflict of interest, not reporting income from Federal funds, violation of contract procedures, maintenance of effort violations, and the use of funds for other than their designated purposes.
 - c. Gross Mismanagement: Actions or situations arising out of the intentional failure to perform one's duties or responsibilities in reckless disregard of the consequences, which lead to major violations of contract provisions and/or which severely hamper the Agency's ability to fulfill its mission.
 - d. Employee/Participant Misconduct: Employee/participant misconduct should be considered as occupational or professional actions occurring during or outside work hours, that reflect negatively on the Agency or its mission, and may include, but are not limited to, conflict of interest or the appearance of conflict of interest involving outside employment business and professional activities; the receipt or giving of gifts, fees, entertainment, and favors; misuse of Federal/State property; misuse of official information; and such other activities as might adversely affect the confidence of the public in the integrity of the Government as well as serious violations of Federal and State laws.
7. CONTACT
Further information on incident reporting may be obtained by calling the Office of Inspector General at (850) 245-7141 or SUNCOM 205-7141 or (850) 245-7138, (850) 245-7135.

8. FORMS

The Incident Report form can be reproduced locally, and submitted by mail or electronically.

Attachment I: Instructions for Preparation of the Incident Report Form
Attachment II: Incident Report Form

Attachment I

INSTRUCTIONS FOR PREPARATION OF THE INCIDENT REPORT FORM

A. Purpose

The Incident Report Form is to be used for reporting to the Agency for Workforce Innovation Office of Inspector General incidents of program abuse, fraud, or other criminal violations involving AWI programs and operations.

B. Completion of the Incident Report Form

Block 1. Enter the date the form is actually signed by the submitting official.

Block 2. Leave blank. For use of OIG.

Block 3. Leave blank. For use of OIG.

Block 4. Indicate the type of report being submitted by checking the appropriate block. If the report is both an "Initial" and a "Final" report because the incident has been resolved, then place a check in both the initial and final blocks. Supplemental report information can be submitted on an additional form or by letter or memorandum referencing the original incident report.

Block 5, 6 and 7. Check appropriate blocks and complete as appropriate.

Block 8. Note the date and time the incident occurred, or if unknown, when it was discovered or reported.

Block 9. Check appropriate block(s) and complete as necessary. "Public" includes reporting of an incident in the press.

Block 10. If as a result of the complaint, law enforcement was contacted, provide contact information and the current status of any action by that agency. Additional detail about information requested or provided can be included in Block 14.

Block 11. Check appropriate block(s) to indicate the significance of interest or publicity that the incident has or may generate. If necessary, a brief statement of explanation may be included in Block 14.

Block 12. Note the program or funding source involved, if applicable.

Block 13. List staff or others who can provide additional information regarding the incident, including their organizational affiliation.

Block 14. Briefly describe the known or alleged circumstances of the incident. This description should be chronological, include information on all parties involved, and note all investigative activities that have taken place to date. Include where all actions occurred, and how incidents were discovered. Note any estimate of the extent of loss of resources or funds, if available.

Block 15. The submitting person is typically the responsible manager or official.

Block 16. If the form is being submitted to OIG electronically, note "electronic".

Block 17. Complete as appropriate. OIG will submit all required copies to federal authorities.

Block 18. Attach and list copies of relevant documents that will assist in understanding the incident.

(Note - If additional space is needed for any entry, information may be added at the end of the description section (Block 14), or by attaching additional sheets noted as "Continuation" with the appropriate section number.)