

**Trident Workforce Investment Board  
Workforce Investment Act**

**SANCTIONS POLICY**

**TO:** SC Works Trident Operators and Youth Contractors

**ISSUANCE DATE:** May 15, 2012

**EFFECTIVE DATE:** May 15, 2012

**SUPERSEDES:** June 30, 2008, September 6, 2005

**SUBJECT:** Sanctions Policy

**PURPOSE:**

The purpose of this policy is to develop sanctions that will be applied to overall contractor performance. Contractors will be evaluated on their ability to meet the required enrollment plan, spending plan, core performance measures and data reporting as outlined in the contracts.

**POLICY:**

In accordance with the Workforce Investment Act Section 136 and SC State Instruction #02-03, local areas failing to meet negotiated performance levels will face sanctions. The original Sanctions Policy addressed failure for one, two, and three program years. This new instruction will be referenced as 02-03 Change #1 and include how to address failure in four or more consecutive years.

**PROCEDURES:**

All SC Works Trident staff and contractors will comply with instruction letter 02-03 change 1 attached. Each contract will contain the guidelines for contractors to successfully provide WIA services. These guidelines are included in the procedures.

**Enrollment Plan** – The minimum number of WIA customers to be registered within the program year.

**Spending Plan** – Benchmarks for having funds expended during the first 3 quarters of the program year. The spending plan will also include a review of the timeliness and accuracy of invoicing.

**Core Performance Measures** – The minimum goal the contract must meet for each appropriate WIA performance measure will be included in the contract. The goal rates will be adjusted each year based on levels negotiated with the State.

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**Data Reporting** – The contractors reporting of VOS data will be evaluated. This evaluation will be based on: (1) errors and the number/frequency of change notices submitted; (2) timeliness of entering case notes and (3) adherence to the SC VOS Manual and local policy. Additionally contractors will be evaluated on their responsiveness to providing any other reporting as requested by the Administrative Entity. The contractors overall performance will be evaluated using the above criteria. If performance is unsatisfactory, contractors will face sanctions in accordance with the following:

**Verbal Notification** – Once a problem with the contractor’s performance in any of the areas listed above is observed, the Administrative Entity will verbally notify the Program Manager of the pending actions if issues are not rectified in accordance with contractual obligations.

**Written Reprimand** – Failure to correct the circumstances warranting verbal notification will result in a written reprimand being sent to the signatory official. This reprimand will require a response to include corrective action taken.

**Slot Level/Funding Freeze** – If the corrective action plan submitted is not sufficient or the problem is not resolved, the contractor’s slot level/funds will be frozen until the matter is corrected to the Administrative Entity’s satisfaction.

**Reduction of Funds** – If the problem continues after the above sanctions have been applied, the contractor will face a reduction in their contract funds.

**Termination of Contract** – If the problem continues after the above sanctions have been applied, the contract will be terminated. NOTE: The performance of work under any contract may be terminated, in whole or in part, for either of the following circumstances: Termination for Convenience or Termination for Cause, as defined in the WIA Terms and Conditions.

**Non-Extension of Contract** - Since contract extensions are based on the overall contractor performance, sanctions applied against a contractor during the program year will affect their consideration for extension into the new program year. Any contract terminated due to sanctions, will not be renewed for a minimum period of one program year.

The administrative entity reserves the right to administer the above sanctions based on the severity of the area of non-performance and may initially institute a higher-level sanction if it is in the best interest of the Trident Workforce Investment Area. At any time during the sanctioning process, the contractor may request technical assistance to clarify WIA regulations, local policy, and instructions.

  
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Ronald E. Mitchum, Executive Director  
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May 15, 2012  
Date