

Assurances

The purpose of distinguishing the following assurances is to highlight specific requirements and does not limit local area responsibilities in any way. Local areas are required to ensure that the local area and its subrecipients are held accountable to all state and federal laws, regulations, and policies. By signing the following assurances, the local area assures the state that the local area and all of its subrecipients will abide by the following requirements:

Access to Records - The Grantee assures it will give the Department of Labor or its representatives the access to, and the right to, examine all documents related to the grant agreement.

Administration - The Grantee assures it will fully comply with all Grantor instructions relating to the administration of the grant funds.

Administration and Fiscal Systems - The Grantee assures it has adequate administrative and fiscal systems necessary to promote effective use of the grant funds. This includes a financial management system that satisfactorily accounts for and documents the receipt and disbursement of all WIA funds including information pertaining to subgrants and contract awards, obligations, unobligated balances, assets, expenditures, and income. Effective internal controls are in place to safeguard assets and assure their proper use (including property location and usage). All source documentation will be maintained to support accounting records that will permit the tracking of funds to a level of expenditure adequate to establish that funds have not been used in a violation of the applicable restrictions on the use of such funds.

Audit Resolution File - Assures that the local area will maintain an audit resolution file documenting the disposition of reported questioned costs and corrective actions taken for all findings.

Bonding - All persons and/or subrecipients who are authorized to receive or deposit WIA funds, or to issue financial documents, checks, or other instruments of payment for WIA program costs, will be bonded in accordance with federal and state regulatory requirements for protection against loss.

Cash Management - No excess cash will be kept on hand, and that procedures exist for maintaining and monitoring the minimum amount of cash on hand necessary to efficiently improve the timing and control of disbursements.

Compliance with LB 403 Lawful Presence in the U.S. - The Grantee assures that all contracts shall certify that the Contractor has registered with and is using a federal immigration verification system as defined in section 7 of Nebraska Laws 2009, LB 403 to determine the work eligibility status of all new employees physically performing services within the State of Nebraska. Upon reasonable notice, the Contractor shall provide documentation to the Department of Labor which proves that the Contractor is or was at all times during the term of the agreement in compliance with this provision. If the Contractor is an individual or sole proprietorship, the Contractor shall complete the U.S. Citizenship Attestation Form, available on the Department of Administrative Services Website at www.das.state.ne.us. If the Contractor indicates on such attestation form that he or she is a qualified alien, the Contractor shall agree to provide the U.S. Citizenship and Immigration Services documentation required to verify the Contractor's lawful presence in the U.S. using the Systematic Alien Verification for Entitlements (SAVE) Program. The Contractor

understands and agrees that lawful presence in the U.S. is required and the Contractor may be disqualified or the contract terminated if such lawful presence cannot be verified.

Compliance with WIA - The Grantee assures that it will fully comply with the requirements of PL 105-220, the Workforce Investment Act of 1998, and all Federal regulations pursuant to the Act.

Confidentiality – The Grantee assures that it will comply with the confidentiality requirements of section 136(f)(3).

Consultation - The Grantee has developed this plan in consultation with local elected officials, the local Workforce Investment Board, the business community, labor organizations, and other partners.

Demand Occupations - WIA training shall be provided only for those occupations for which there is a demand in the area served, or in another area to which the customer is willing to relocate.

Disabilities - The Grantee assures that it will comply with Section 504 of the Rehabilitation Act of 1973 and the American's with Disabilities Act of 1990.

Expending Funds - The Grantee assures that funds will be spent in accordance with the Workforce Investment Act and the Wagner-Peyser Act and their regulations, written Department of Labor guidelines, and all other applicable federal and state laws.

Governor's Grant Procedures - The Grantee assures that it will comply with the grant procedures prescribed by the Governor that are necessary to enter into grant agreements for the allocation and payment of funds under the Act. The procedures and agreements will be provided by the Governor and will specify the required terms, conditions, assurances, and certifications, including, but not limited to, the following:

General Administrative Requirements:

- 29 CFR part 97 – Uniform Administrative Requirements for State and Local Governments (as amended by the Act)
- 29 CFR part 96 (as amended by OMB Circular A-133) – Single Audit Act
- OMB Circular A-87 - Cost Principles (as amended by the Act)

Assurances and Certifications:

- SF 424 B - Assurances for Non-construction Programs
- 29 CFR part 37 – Nondiscrimination and Equal Opportunity Assurance (and regulation) 29 CFR § 37.20
- CFR part 93 - Certification Regarding Lobbying (and regulation)
- 29 CFR part 98 - Drug Free Workplace and Debarment and Suspension Certifications (and regulation)

Special Clauses/Provisions:

Other special assurances or provisions as may be required under Federal law or policy, including specific appropriations legislation, the Workforce Investment Act, or subsequent Executive or Congressional mandates.

Grievances/Complaints - The Grantee will comply with federal, state, and local procedures for grievances and complaints from participants and employees under the WIA program.

Licensing, Taxation, and Insurance - The Grantee assures that it will comply with federal, state, or local laws governing applicable licensing, taxation, and insurance requirements.

Nondiscrimination - The Grantee assures that it will comply with the nondiscrimination and equal opportunity provisions of Section 188 and its implementing regulations at 29 CFR Part 37,

Title VI of the Civil Rights Act of 1964, the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972, and maintain data necessary to show compliance.

Regional Planning - The WIB will participate in regional planning.

Reporting - The Grantee shall submit complete, accurate, and timely reports as specified by the Governor.

Responsibility Matters - The Grantee shall enforce standards and procedures to ensure against fraud and abuse, including standards and procedures against nepotism, conflicts of interest, lobbying, kickbacks, drug-free workplace, political patronage (Hatch Act) and provisions which govern debarment, suspension, and other responsibility matters.

Retention of Records - The Grantee assures that it will retain all financial and program records, books of account, and other documents related to the grant agreement for a period of three years. If prior to the expiration of the 3-year retention period, any litigation or an audit has begun, the records, books of account, and documents relating to the grant agreement will be retained until the litigation is complete and audit findings are resolved.

Salary and Bonus Limitation - The Grantee assures that none of the funds appropriated in Public Law 109-149 or prior Acts under the heading "Employment and Training Administration" that are available for expenditure on or after June 15, 2006, shall be used by a recipient or subrecipient of such funds to pay the salary and bonuses of an individual, either as direct costs or indirect costs, at a rate in excess of Executive Level II, except as provided for under section 101 of Public Law 109-149. This limitation shall not apply to vendors providing goods and services as defined in OMB Circular A-133.

Sunshine Provision - The local WIB assures that the public, including individuals with disabilities, has access to local WIB meetings and information regarding local WIB activities, including membership and meeting minutes.

Uniform Administrative Requirements - The Grantee assures that it will establish, in accordance with Section 184 of the Workforce Investment Act, procedures that ensure compliance with the uniform administrative requirements for grants and agreements applicable to the type of entity receiving funds.

Union Organizing - The Grantee assures that no funds received under the Workforce Investment Act will be used to assist, promote, or deter union organizing.

Veterans - The Grantee assures that it will comply with the veterans' priority provisions established in the Jobs for Veterans Act.

Local WIB CHAIRPERSON

Signature

2/20/14
Date

LOCAL CHIEF ELECTED OFFICIAL

Signature

Date