



**POLICY
NUMBER
G104**

Workforce Policy

Title:	Sanctions and Other Required Corrective Action for Local Workforce Development Boards Who Fail to Meet Federal and State Standards	
Policy Type:	Programmatic	
Program:	Workforce Innovation and Opportunity Act	
Adopted:	02/20/2020	Revised: 01/28/2026

I. PURPOSE AND SCOPE

The Workforce Innovation and Opportunity Act (WIOA), Section 116, establishes performance accountability requirements for core programs that support employment and training outcomes. Training and Employment Guidance Letter No. 11-19, Change 2,¹ issued by the U.S. Departments of Labor and Education, updates how state performance is evaluated and clarifies that states may lose up to 10% of the Governor's Reserve funds for repeated failure or non-reporting of results. CareerSource Florida requires Local Workforce Development Boards (LWDBs) to promptly address performance, programmatic, or financial deficiencies to protect funding and avoid penalties. LWDBs play a critical role in advancing the strategic and operational goals of the Governor and the State Workforce Development Board (SWDB) for Florida's Workforce Development System. The CareerSource Florida Board of Directors, acting as the SWDB, issues policy and guidance aligned with federal and state laws and its strategic priorities to ensure LWDBs, service providers, and career centers deliver services effectively and efficiently. This policy informs LWDBs utilizing WIOA Title I and other funds authorized by the SWDB about potential consequences, including sanctions and remedies, for failing to meet performance measures or violating applicable laws, regulations, standards, or agreement terms with the Florida Department of Commerce (FloridaCommerce).

II. KEY OBJECTIVES AND MEASURABLE PERFORMANCE OUTCOMES

A. Key Objectives

1. Increase awareness and develop training, as needed for Chief Local Elected Officials (CLEOs), LWDB members, leadership, and staff of LWDBs and career centers about board responsibilities and potential sanctions and remedies for failing to meet

¹ [Training And Employment Guidance Letter No. 11-19, Change 2](#)

- performance measures or violating federal and state laws, regulations, standards, or the terms of agreements between LWDBs and FloridaCommerce.
2. Employ sound management practices and controls for the proper expenditure of funds passed to LWDBs and administered through FloridaCommerce.
 3. Develop strategies, procedures, and policies to meet or exceed identified state and federal performance standards in alignment with state goals and objectives.

B. Measurable Performance Outcomes

1. Verification that CLEOs, Board Chairs, LWDB members, and career center staff are provided with information on CareerSource Florida's policies and strategies, on funding provided to the LWDB, and on requirements and consequences associated with LWDB performance expectations.
2. Verification that staff and career centers are provided information and training applicable to their job duties, including federal and state guidance and state workforce policies.
3. LWDBs shall implement clear processes to locally monitor and ensure proper use and expenditure of funds in alignment with state guidance.
4. LWDB staff shall identify needs, implement training, and attend policy-related training conducted by CareerSource Florida and/or FloridaCommerce as necessary.
5. LWDBs shall develop and implement policies, procedures, and strategies to meet performance expectations to avoid potential sanctions.

III. POLICY AND PROCEDURES

The CareerSource Florida Board of Directors seeks to ensure all LWDBs maintain credibility and accountability for meeting performance, programmatic, and financial requirements. CLEOs and LWDBs receive quarterly updates and annual notifications on whether they meet federal performance accountability measures and state-issued letter grades. Any LWDB not meeting the regulatory or statutory standards shall be subject to specific conditions and sanctions consistent with applicable federal laws, regulations, and guidance.

A. Deficiencies²

In the following circumstances, corrective actions may be imposed on LWDBs:

1. Failure by the LWDB to execute a Grantee-Subgrantee Agreement between FloridaCommerce and the LWDB within the timeframe prescribed by FloridaCommerce.
2. Failure by the LWDB's board members, staff, fiscal agent, or administrative entity to appropriately oversee the delivery of services and ensure the effective and efficient use of funds.
3. Failure to:
 - a. Carry out the required functions of a LWDB as set forth in WIOA sec. 107(d).
 - b. Achieve certification.
 - c. Sustain program and fiscal integrity.
 - d. Properly use federal or state funds resulting in disallowed costs.
 - e. Act in a manner necessary to prevent waste, fraud, or abuse of federal or state funds.
 - f. Submit timely and accurate required financial and performance reports, including annual Single Audits or financial statement audits.
 - g. Meet the agreed-upon ITA expenditure requirement under section 445.003(3),

² [20 CFR 677.220](#)

Florida Statutes.

- h. Take corrective actions to resolve findings of non-compliance identified during programmatic, fiscal, or investigative monitoring or audit reviews conducted by the USDOL, FloridaCommerce, or other legally authorized entity.
- i. Resolve or address performance improvement plans, notices of deficiencies, or corrective action requirements within the timeframe determined by the authorized monitoring or reviewing authority.
- j. Resolve or address all independent audit findings or questioned costs.
- k. Comply with administrative and service contract requirements.
- l. Retain and produce required service delivery, program participant, and/or financial records.
- m. Address and resolve reported threats to health and safety of program participants or staff, which may include investigating complaints, taking appropriate corrective actions, or making referrals to the appropriate authorities.
- n. Meet other identified performance requirements, including:
 - i. Performance data demonstrating a failure to maintain or improve in actual performance outcomes for two or more years among enrolled individuals within subgroup populations, such as veterans and individuals receiving public assistance;³
 - ii. Two or more years of failing to meet adjusted local levels of performance consistent with WIOA sec. 116 and TEGL 11-19, Change 2,⁴ or
 - iii. Two consecutive years with an annual letter grade of F.⁵

B. Actions

The CareerSource Florida Board of Directors and FloridaCommerce may impose the following actions in response to deficiencies noted in Section A, above:

1. **Specific Conditions** – Failure by the LWDB to fully resolve the deficiencies stated in the corrective notice may result in:
 - a. Placing the LWDB on cost-reimbursement status.
 - b. Requiring invoices and supporting documentation to be submitted to justify and support expenditures prior to approving future draw requests.
 - c. Establishing additional prior approval as deemed necessary by FloridaCommerce.
 - d. Any additional action that the Governor, CareerSource Florida Board of Directors, or FloridaCommerce may determine as effective or necessary to correct the deficiency.
 - e. Full fiscal review of expenditures related to funds passed to the LWDB through FloridaCommerce.
 - f. Full programmatic review of participant eligibility and compliance with federal and state laws, regulations, and guidance.
 - g. The requirement of an LWDB to perform the required corrective action.
 - h. Recapture and reallocation of funds.
2. **Turnaround Plan:** CareerSource Florida and FloridaCommerce will examine LWDB performance on each of the criteria developed under [s. 14.36\(3\)\(h\)](#) for various populations served, including, but not limited to, veterans, individuals on public assistance as defined in [s. 414.0252\(10\)](#), and businesses. LWDBs consistently underperforming on required adjusted local levels of performance and two consecutive

³ When evaluating subgroup performance, cohort size will be taken into consideration to ensure statistical validity and fairness in the assessment process.

⁴ [Training and Employment Guidance Letter No. 11-19, Change 2](#)

⁵ Letter grade methodology described at <https://analytics.careersourceflorida.com/LetterGrades/Methodology>

state-issued LWDB annual Letter Grades, including data isolated for a single subgroup, to include veterans and individuals receiving public assistance, will be required to submit an LWDB Turnaround Plan to the SWDB for review and approval. For the purposes of this section, poor letter grade performance is defined as two consecutive letter grades of D or a single year with an F. An LWDB that fails to submit a timely Turnaround Plan or completes a Turnaround Plan cycle and does not improve to a grade of "C" or higher is subject to corrective action, including, but not limited to, removal of board members and executive directors under [s. 445.007\(2\)\(b\)](#) and possible board decertification under WIOA s. 107(c)(3).

- a. LWDB Turnaround Requirements: After notification, the LWDB will have 6 months to develop and submit this plan, which must be data-based and designed to create the conditions to improve the LWDB's performance during a two-year implementation period. FloridaCommerce shall apply intensive monitoring until the plan's closure. Requirements for LWDB Turnaround include:
 - i. The removal of the current LWDB Chair.
 - ii. The results of a review of the performance of the executive director and/or the designated person responsible for operational and administrative functions of the board and a plan based on that review for the improvement of leadership performance designed to support LWDB improvement in administrative function of the board.
 - b. The development of a professional development plan that provides ongoing, targeted support to increased performance by staff and leaders.
 - c. The results from a review of practices in hiring, recruitment, retention, and reassignment of staff supporting the identified population and the associated actions identified for improvements in this area.
 - d. A description of local, data-based monitoring efforts, aligned to SWDB standards, that will be enacted to support improvement in the identified area(s).
 - e. A description of the review and update of any applicable local policies or operating procedures and how these will be updated to improve alignment and performance with the identified subgroup, if applicable; and
 - f. A description of how plan implementation will be documented and tracked.
3. **Notice** – FloridaCommerce will at a minimum provide notice to the CLEO, the executive director, board chair, and/or the designated person responsible for operational and administrative functions of the board of the need for a Turnaround Plan or corrective action to secure prompt compliance. The notice may include additional performance, programmatic, or financial reviews, or additional technical assistance activities. The notice will include a timeline for required implementation and provide the opportunity for the LWDB to resolve any deficiencies.
4. **Sanctions** – Failure by the LWDB to fully resolve the deficiencies stated in the corrective notice or failure to fulfill the specific conditions placed on the LWDB may result in:
- a. Disallowing all or part of the cost or activity determined to be non-compliant.
 - b. Temporarily withholding reimbursement.
 - c. Reduce infrastructure funding allotment.
 - d. Reduction or otherwise adjustment of the LWDB's funding (by disqualification from distributions of incentive monies, reallocated formula funding, and/or state-level reserve funds).
 - e. Suspension or termination, in whole or in part, of the federal or state award.
 - f. Issuance of a notice of intent to revoke approval of all or part of the local plan affected.
 - g. Imposing a reorganization plan which may include:

- i. Decertifying the LWDB and requiring that a new board be appointed and certified for the local area.
 - ii. Prohibiting the use of eligible providers and one-stop partners.
 - iii. Selecting an alternative entity as defined in WIOA Section 107 to administer the program for the local area involved.
 - iv. Merging the local area into one or more other local areas, after consultation with CLEO(s) in the local areas; or
 - v. Making such other changes necessary to secure compliance.
- h. Initiation of suspension or debarment proceedings.
 - i. Any other penalty or action deemed appropriate by the Governor, CareerSource Florida Board of Directors, or FloridaCommerce.

C. Appeal Processes

A local area that has been found in substantial violation of WIOA and has received notification that either all or part of the local plan will be revoked or that a reorganization will occur may appeal such sanctions to the Secretary of Labor, USDOL under [20 CFR 683.650](#). The appeal must be filed no later than 30 days after receipt of written notification of the revoked plan or imposed reorganization. A copy of the appeal must be simultaneously provided to the CareerSource Florida Board of Directors and the Governor. The sanctions do not become effective until the time for appeal has expired or USDOL has issued a decision. USDOL will notify the Governor and the appellant in writing of the Secretary's decision within 45 days after receipt of the appeal.

A local area that has failed to meet local performance indicators for three consecutive program years and has received the Governor's notice of intent to impose a reorganization plan may appeal to the Governor to rescind or revise such plan no later than 30 days after receiving written notice of the reorganization plan. The Governor must make a final decision within 30 days after receiving the appeal. The local area may appeal the final decision of the Governor to USDOL under [20 CFR 677.225](#) no later than 30 days after receiving the Governor's final decision. Any appeal of the Governor's final decision must be appealed jointly by the LWDB and the Chief Elected Official. USDOL will make its final decision within 30 days after receipt of the appeal. The decision by the Governor on the appeal becomes effective at the time it is issued and remains effective unless USDOL rescinds or revises the reorganization plan.

IV. IMPLEMENTATION

LWDBs must establish and maintain Local Operating Procedures (LOPs) that ensure all staff understand performance accountability requirements, including those outlined in [TEGL No. 11-19, Change 2](#), [20 CFR 677.220](#), and [20 CFR 683.720](#). LOPs should outline the processes the LWDB uses to collect, validate, and report performance data; monitor internal program quality; implement corrective actions at the staff and provider level; and ensure timely resolution of findings identified through local or state monitoring. These procedures should focus on strengthening internal controls, supporting continuous improvement, and promoting program integrity. LOPs should be data-informed, aligned with state and federal standards, and reviewed regularly to ensure responsiveness to evolving compliance and reporting requirements.

Implementation of this policy requires LWDBs to integrate local policies and procedures that proactively address potential deficiencies and support timely corrective actions. LWDBs must document and track all efforts to meet performance expectations, including training, monitoring, and leadership development activities.

FloridaCommerce, in consultation with CareerSource Florida, will monitor LWDB compliance

through intensive reviews, fiscal and programmatic audits, and evaluation of LOPs. This oversight ensures that LWDBs maintain accountability and transparency while working toward continuous improvement and alignment with state workforce goals.