

261—8.11(15,76GA,ch1180) Administration.

8.11(1) Access to records. The department or its designees, at all reasonable times, may enter the grantee's establishment during the course of or following the completion of the projects for any purpose arising from the performance of the contracted project or agreement.

8.11(2) Waiver. The department may waive particular provisions of the program requirements outlined in this chapter, provided the waiver does not conflict with applicable state laws. Waivers will be provided only in extreme circumstances when chapter requirements are hindering the ability of a specific project to carry out the intent of the applicable program.

8.11(3) Record keeping and retention. Grantees shall maintain all records required for compliance with applicable law, regulation and project contracts until the end of the fiscal year following the year the project was closed out.

8.11(4) Data collection and reporting. Grantees shall collect, maintain, and report to IDED information pertaining to the characteristics of the participants, activity and service levels, program outcomes, and expenditures as required for program analysis.

8.11(5) Monitoring. Each grantee must make available all of its records pertaining to all matters related to the program being operated. They shall also permit the department to utilize, monitor, examine or make excerpts of transcripts from such records, contracts, invoices, personnel records, conditions of employment, and other data and records related to all other matters covered by this program.

8.11(6) Compliance problems. When problems of compliance with law, regulation, or contract or agreement stipulations are noted or when it is discovered a grantee has made false or misleading representations in the program application, contract, or agreement, the department may require corrective action to be taken. Failure to respond to corrective action requests may result in the establishment of a debt on the part of the grantee.

8.11(7) Remedies for noncompliance. At any time before project closeout, the department may, for cause, find that a grantee is not in compliance with the requirements of a program under the workforce development fund. At the department's discretion, remedies for noncompliance may include the following:

- a. Issue a warning letter that further failure to comply with program requirements within a stated period of time will result in a more serious sanction.
- b. Condition a future grant or agreement.
- c. Direct the grantee to stop incurring costs under the project.
- d. Require that some or all of the grant amounts be remitted to the state.
- e. Reduce the level of funds that the grantee would otherwise be entitled to receive.
- f. Elect not to provide future workforce development fund moneys to the grantee until the appropriate actions are taken to ensure compliance.

8.11(8) Compliance with applicable labor laws. Grantees shall operate all projects in compliance with state and federal health, safety, equal opportunity, and other applicable labor laws.