TITLE: ON-SITE COMPLIANCE REVIEWS

1. PURPOSE.

This document prescribes the policy governing on-site compliance reviews of Nonprofit Agencies (NPA) participating in the AbilityOne® Program.

2. APPLICABILITY.

The policy described herein applies to all nonprofit agencies (NPAs) participating in the AbilityOne Program, the Central Nonprofit Agencies (CNAs) and the U.S. AbilityOne Commission (Commission).

3. AUTHORITY.

(a) 41 U.S.C. §§ 8501-8506, Javits-Wagner-O'Day (JWOD) Act
(b) 41 CFR Chapter 51, Committee for Purchase From People Who Are Blind or Severely Disabled

4. DEFINITIONS AND ACRONYMS.

Definitions, abbreviations, and acronyms frequently used throughout this policy system are provided in Policy 51.102, Definitions. Terms unique to a specific subject matter are defined in the associated policy and/or procedure.

5. RESPONSIBILITIES.

(a) The Commission:
  i. Conducts on-site reviews of participating NPAs to ensure compliance with all applicable statutes, regulations, policies, and guidance.
  ii. Takes necessary steps to ensure corrective action for non-compliance.
  iii. Provides guidance, education, and training in understanding compliance requirements to CNAs and NPAs.

(b) CNAs support the Commission by:
  i. Monitoring and assisting their respective NPAs in meeting applicable statutes, regulations, policies, and guidance.
  ii. Conducting on-site regulatory reviews and assistance visits with their NPAs, which, at a minimum, align with the Commission's practice and areas of review. CNAs provide the Commission with reports of the results of those visits.
  iii. Participate in joint reviews of NPAs with the Commission as appropriate and requested.
  iv. Providing and/or assist the Commission in providing guidance, education, and training to its NPAs.

(c) NPAs:

i. Comply with all applicable statutes, regulations, policies and guidance.
ii. Accommodate and actively participate in on-site visits by the Commission or its CNAs.
iii. Take appropriate steps to address any areas of non-compliance or discrepancies noted within the time frame provided by the Commission or CNA following any on-site visits.
iv. Participate in education and training opportunities as provided by the Commission or its CNAs.

6. POLICY.

(a) The Commission's policy is to conduct regular on-site compliance visits of all AbilityOne participating NPAs. NPAs are selected and prioritized for compliance reviews based on:

i. Review cycle, including length of time since last visit.
ii. Scope of compliance deficiencies as identified by CNAs or other sources.
iii. NPAs reporting total agency direct labor ratios below 75 percent.
iv. NPAs that have received their first AbilityOne contract.
v. NPAs that exhibit patterns of rapid growth or concentrate in high risk business lines.
vi. NPAs that comprise the largest participating agencies.
vii. The best interest of the Government or the AbilityOne Program as determined by the staff or the Commission.

(b) The Commission's review gathers information pertinent to ensuring compliance with statutes, regulations, policies, and guidance and to ensure NPAs promote the mission and integrity of the AbilityOne Program.

7. EXCEPTION TO POLICY.

None.

8. PROCEDURES.

(a) Compliance Manual, dated June 29, 2007, is incorporated herein by reference.
(b) 51.401-01, Compliance Procedures and any amendments or changes thereto are immediately incorporated on their date of publication.

9. SUPERSESSION.

(a) Compliance Memorandum Number 7, On-Site Compliance Reviews, dated May 6, 1998 is hereby superseded.
(b) Compliance Manual, dated June 29, 2007, paragraph 8(a) is immediately superseded on publication of U.S. AbilityOne Commission Procedure 51.404-01.

APPROVED: _____ **Date:** 3/22/13
E. Ballard
Executive Director