



**workforce**  
SOUTHWEST WASHINGTON

# **Training Policy Handbook – Attachment A**

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**Southwest Washington Workforce Development Council  
DBA Workforce Southwest Washington  
805 Broadway, Suite 412  
Vancouver, WA 98660  
Amy Gimlin  
[agimlin@workforcesw.org](mailto:agimlin@workforcesw.org)  
(360) 567-1059**

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## **Introduction**

The content of this procedural handbook combines all WSW training policies into one guide. This handbook will serve as the mechanism to implement and manage policy changes.

This handbook provides guidance to staff and partners concerning administration requirements for the Youth, Adult and Dislocated Worker Programs (WIOA Title 1-B) and other federal funded programs in Southwest Workforce Development Area. This guidance is specific to all training components of the programs including On-the-Job, Work Experiences, Internships, Individual Training Accounts, Transitional Jobs, Self Employment and Incumbent Worker.

Each section is specific to the type of training with subsections detailing requirements for each program.

Programs receiving WIOA Title I-B funding must ensure that specific strategies are in place to ensure that “services are provided efficiently and effectively in a timely manner without undue delays” and such strategies will be included as points of discussion during contract negotiations and annual monitoring.

All required forms service providers must use when administering and documenting each training service are detailed at the end of each training section.

## Definitions

- **Adult Work Experience/Internship** – A planned, structured, time-limited learning experience that takes place in a workplace. An internship or work experience may be paid or unpaid, as appropriate. An internship or work experience may be provided in the private for-profit, non-profit, or public sectors. Labor standards apply to any internship or work experience in which an employee/employer relationship exists under applicable law. Service is classified as an Individualized Career Service as described in § 678.430(b).
- **Apprenticeship** – A system of training a new generation of practitioners of a trade or profession with on-the-job training and often accompanied with classroom work and reading which must be:
  1. Registered under the Act of August 16, 1937 (commonly known as the [“National Apprenticeship Act”](#); 50 Stat. 664, chapter 663; 20 U.S.C. 50 et seq.); and
  2. Must meet the requirements and registered with the [State of Washington](#).
- **Case Notes** – For the purpose of Data Element Validation (DEV), case notes refer to either paper or electronic statements by staff that identifies, at a minimum, the following: a participant’s status for a specific data element, the date on which the information was obtained, and the staff who obtained the information ([TEGL 28-11, Attachment A](#)).
- **Customized Training** – Training that is designed to meet the specific requirements of an employer (including a group of employers), that is conducted with a commitment by the employer to employ an individual upon successful completion of the training, and for which the employer pays a significant portion of the cost of training.
- **Employable** – The participant currently has the skills, knowledge, and life circumstances that would allow them to obtain employment, to stay in employment and to move on in the workplace.
- **Incumbent Worker** – An individual who is employed, meets Fair Labor Standards Act requirements for an employer-employee relationship, and has an established employment history with the employer for 6 months or more.
- **In-Demand Industry Sector or Occupation** – In general, (i) an industry sector that has a substantial current or potential impact (including through jobs that lead to economic self-sufficiency and opportunities for advancement) on the state, regional, or local economy, as appropriate, and that contributes to the growth or stability of other supporting businesses, or the growth of other industry sectors; or (ii) an occupation that currently has or is projected to have a number of positions (including positions that lead to economic self-sufficiency and opportunities for advancement) in an industry sector so as to have a significant impact on the state, regional, or local economy, as appropriate. The determination of whether an industry sector or occupation is in-demand shall be made by the state board or local board, as appropriate, using state and regional business and labor market projections, including the use of labor market information.
- **Individual Employment Plan** – A plan is an individualized career service, that is jointly developed by the participant and case manager. The plan is an ongoing strategy to identify employment goals, achievement objectives, and an appropriate combination of services for the participant to achieve the employment goals.
- **Individual Service Strategy (ISS)** – A distinct plan designed specifically for the WIOA Youth Program participants and is based on the information obtained during the objective assessment. The ISS will serve as the basis for the entire case management service strategy and as a guide for delivery of appropriate services.

- **Individual Training Account** – A payment agreement established on behalf of a participant with a training provider. The account is set up for an individual who seeks training services and who is eligible to receive WIOA training services may, in consultation with a career planner, select an eligible provider of training services from the [Eligible Training Provider List](#).
- **Local Training Investment List** – The list is comprised of those industries and occupations that are In-Demand, Balanced or Not-In-Demand for our area. WSW revises this list annually based on the local economic conditions, employer needs and training provider input. The list can be found on the [WSW website](#). For more information regarding the Local Training Investment process refer to [WSW Policy #3012](#).
- **On-the-Job Training** – Training provided by employers to paid participants in the form of productive work in jobs that (1) provide the knowledge or skills essential to the full and adequate performance of the jobs, (2) are available through programs that provide reimbursement to employers of up to 50 percent of the participants' wages, with the exception provided by this policy, for the extraordinary costs of training and additional supervision related to the training, and (3) are limited in duration as appropriate to the occupations for which participants are being trained, taking into account training content, participants' prior work experiences, and participants' service strategies.
- **Participant/Trainee** – An individual who is enrolled in a WIOA program and is receiving services.
- **Pre-Apprenticeship** – A type of work experience listed under [WIOA](#) sec. 129(c)(2)(C). A pre-apprenticeship is a program or set of strategies designed to prepare individuals to enter and succeed in a registered apprenticeship program and has a documented partnership with at least one, if not more, registered apprenticeship program(s). Quality pre-apprenticeship program is one described in [TEN 13-12](#).
- **Recognized Post-Secondary Credential** – A credential consisting of an industry recognized certificate or certification, a certificate of completion of an apprenticeship, a license recognized by the State involved or Federal government, or an associate or baccalaureate degree.
- **Self-sufficient Wage** – A wage considered sufficient to meet the basic needs of the worker and their dependents as determined by the self-sufficiency calculators, individual job seeker, and case manager. Generally, this is interpreted as the hourly wage that the customer, working forty hours a week, would need to earn to be able to afford basic housing, food, utilities, transportation, and healthcare.
- **Service Provider** – The agency that WSW is contracting with to administer trainee services.
- **Transitional Jobs (Adult)** – A limited work experience, that is subsidized in the public, private, or non-profit sectors for those individuals with barriers to employment because of chronic unemployment or inconsistent work history; these jobs are designed to enable an individual to establish a work history, demonstrate work success, and develop the skills that lead to unsubsidized employment. (WIOA sec. 134 (d)(5)).
- **Work-Based Training** – Training that could include OJT, customized training, incumbent worker training, transitional jobs, registered apprenticeship or pre-apprenticeship. Generally, work-based training involves a commitment by an employer or employers to fully employ successful participants after they have completed the program.
- **Youth Unsubsidized Work Experience/Internship** – An unpaid, planned, structured learning experience that takes place in a workplace for a limited period of time. The employer must meet

the policy requirements and provide the participant opportunities for career exploration and skills development.

- **Youth Subsidized Work Experience/Internship** – A paid, planned, structured learning experience that will take place in a workplace for a limited period of time. The employer must meet the policy requirements and provide the participant with opportunities for career exploration and skills development.

## References

### Federal/State Policies

- [Workforce Innovation Opportunity Act \(WIOA\)](#)
- [DOL Final Rules](#)
- [ESD #5601 Individual Training Account](#)
- [ESD #5606 OJT Reimbursement Above 50 Percent to 75 Percent](#)
- [ESD #5607 Incumbent Worker Training Criteria](#)
- [ESD #5608 Self-Employment Training](#)
- [ESD #5616 Customized Training](#)

## Supersedes

This handbook supersedes the following WSW Policies:

- #3004 Individual Training Account
- #3017 On-The-Job Training Procedures
- #3020 Youth Tuition
- #3023 Youth Work Experience
- WSW Incumbent Worker Training Guidelines

# 1. On-the-Job Training

(To be followed for Adult, Dislocated Worker, Youth populations and all applicable funding sources)

## 1.1 Purpose

The purpose of an On-the-Job Training (OJT) is to assist businesses in training and retaining skilled, productive workers. OJTs may be used to help train newly hired employees or eligible current employees. OJTs are described in WIOA Section 3(44). The following procedures outline how an On-the-Job Training Agreement and subsequent Training Plans must be developed.

Area employers may work with a number of OJT brokering agencies and several workforce regions in Washington and Oregon. It is desirable from a customer service and marketing standpoint to keep OJT paperwork and rules as simple and standard as possible.

To that end, these procedures define an OJT process that is in place in the City of Portland, Multnomah, Washington, Clark, Cowlitz, and Wahkiakum Counties.

OJTs are provided under a contract with an employer in the public, private non-profit, or private sector. Through the OJT contract, occupational training is provided for the trainee in exchange for reimbursement of 50 percent up to 75 percent of the wage rate to compensate for the employer's extraordinary costs. ([WIOA sec. 134\(c\)\(H\)](#)).

The following procedures and requirements must be used by all WSW service providers administering OJTs to adults and older youth regardless of their program enrollment.

## 1.2 Procedures

### Structure

OJT Agreements are signed by employers and the service provider. OJT agreements are non-financial. **When a trainee is identified and determined eligible, a Training Plan is completed, and at that point funds are obligated.**

The OJT payment to the employer will be paid in one payment upon training completion.

The OJT reimbursement may be between 50% and up to 75% of the wages earned during the training period or \$5,000, **whichever is less** if all conditions for a training payment are met (see Invoices). The OJT reimbursement obligation should be calculated and shown on the top of the Training Plan and is the amount obligated for the training activity.

### Trainees

All OJT trainees must be determined WIOA eligible and enrolled in the WIOA program. The Employer Checklist (Attachment A) and OJT Agreement (Attachment B) must be fully signed prior to the OJT start date. The Training Plan (Attachment C) must be completed within 2 weeks of the start date. OJTs may also be written for current employees who require additional training to advance in their salary structure, to a new position, or to a position eligible for benefits.



### Employer Checklist

Complete the checklist with an employer who may be interested in entering into an OJT Agreement. Only one checklist is needed per employer, regardless the number of OJT Agreements that are in place. The checklist should be updated when the business is sold or transferred, when any other major changes affecting training, hiring or job retention occur, and at least every other year. Every employer must have a completed, current checklist on file.

The first thirteen items on the Employer Checklist are informational and designed to trigger discussion around the Employer's business and workforce needs. The next eight items are regulatory and may prevent writing the OJT if an irresolvable problem surfaces. When the employer representative signs the form, they are attesting to the validity of the regulatory information. The checklist is included in the OJT Agreement by reference.

The checklist discussion should consider each employer's circumstances. For example, relocation need not be discussed with a locally owned grocery store which has been at the same location for ten years. Relocation should be discussed with a national firm with many subsidiaries which is just breaking ground in the area. In addition, an employer must have laid off worker within the previous 120 days or in process of laying off workers in the coming months. (See Employer Checklist item #20).

### Training Agreement and Rules

An On-the-Job Training Agreement is completed after the Employer Checklist has been finalized, and any issues that may have surfaced have been resolved.

The Agreement will cover any positions that have been identified for which the employer expects to need help filling and which are likely to require On-the-Job Training, as well as positions which are now filled by eligible adults, dislocated workers or youth who need training to retain employment and advance.

The Agreement and OJT Rules (on the reverse) should be reviewed and discussed with the employer (and any involved staffing agency) to assure they understand the intent of the Agreement as well as the restrictions that apply. Both the employer of record and the provider must sign the OJT Agreement (see Employer Checklist item #5) prior to the start of the OJT.

### Training Plan and Instructions

The On-the-Job Training Plan is the document which obligates training funds for a trainee and outlines the planned training activities to be accomplished during the training period. The Training Plan must be completed within 2 weeks of the OJT start date. Instructions for making the skill assessments are included on the form.

All trainees must be determined WIOA eligible and be determined to require training in order to meet the employer's entry-level standards for the in-demand position. Or, the trainee may be a current employee who has been determined WIOA eligible and needs training to advance to a new in-demand position.

At a minimum 70% of all OJT positions must be in an “in demand” occupation (can include those considered employer demand) and no more than 30% on “balanced” or “not in demand” occupations. Prior to starting an OJT in a “not in demand” occupation, the service provider must submit an exception request to the WSW Program Manager.

“Skills to be Learned” should be documented in the Training Plan. Put the “skills” in plain English, basing the score primarily upon the supervisor’s judgment. Training is presumed to be needed when the Skills to be Learned “Starting Capability” scores are either a “1” (beginning) or a “2” (intermediate) and can be raised to “3”s (skilled) by the end of the training period. Exceptions may be granted on a case-by-case basis.

For new hires, the job should be expected to last at least a year and provide at least thirty (30) hours of work each week. The wage in the Training Plan must be at the State minimum wage unless otherwise specified in the grant. When possible employers are encouraged to pay a self sufficient wage (\$14 - \$15 an hour). Exceptions may be made on a case by case basis. Training need, training completion, and training length are determined trainee by trainee, using the OJT Training Plan Instructions. The duration of the training period should be estimated as follows:

- The provider representative, working with the employer, determines the job title for the position to be trained for, referencing the Occupational Network (O-Net).
- From O-Net, SVP parameters are obtained. It is within these parameters that the length of training is set.
- The provider representative should consider the training needs of each participant.
- An OJT must be limited to the period of time required for a trainee to become proficient in the occupation for which training is being provided. In determining the appropriate length of the contract, consideration must be given to the skill requirements of the occupation, the academic and occupational skill level of the participant, prior work experience, and any disability.
- No OJTs should be written with a Training Period of less than four weeks or more than 26 weeks. Exceptions may be made on a case-by-case basis.
- A current employee may receive an OJT if they are determined eligible and additional skills and abilities are needed. The OJT “Starting Capability” score and planned gain by the end of the Training Period document the need for additional skills and abilities and justify the writing of an upgrade OJT.

A current employee must also, as a result of successfully completing the OJT:

- Expect a wage gain of \$0.50 or more by the end of the training period; or
- Expect an upgrade to a new position, and the “backfill” with a new hire for the employee’s previous position is made through the provider when training is complete; or
- A case-by-case exception may be granted by WSW. Examples of exceptions might include (but are not limited to) a worker has a disability and requires retraining, medical benefits and

regular employment status are gained as a result of the training, or a layoff can be averted through retraining.

### Supplement Training Plan

Supplemental training tied to training on-the-job may be negotiated using the OJT Supplemental Training Plan. An example is a computer class that would help the trainee better complete their job duties, and it is scheduled during normal work hours. The employer might agree to release the trainee for the time and the trainee agrees to take, attend and make satisfactory progress in the class. Supplemental training is highly encouraged where appropriate and may be paid for, in whole or in part, by the employer, the provider or, occasionally by the trainee. WIOA training funds may be used for supplemental training required as a part of the Training Plan.

### Training Plan Modification

Modifications to the OJT may be executed as needed. The most common modification is extension of the training period. The second most common modification is a changed Training Plan. Work conditions often shift or trainee skills may require new work duties or a position change.

### Invoices

There is one pay point for On-the-Job Training Plan obligation at the completion of training. The OJT payment may be between 50% and up to 75% of the wages earned during the training period or \$5,000, **whichever is less**.

Training period concludes once all of the “Skills to be Learned” listed in the Training Plan have been scored a “3” (“skilled”), an invoice may be submitted for the Training Period. The standard for scoring a “3” is “Meets the Employer’s standard for the Task.” Scoring should consider the employer’s normal expectation for an employee in the same position at the same pay grade and with similar job tenure. Exceptions may be made on a case-by-case basis.

No payment shall be given if material compliance issues are outstanding.

All components of the training period invoice must be complete. Use the calculation on the invoice to compute the appropriate billing amount.

Total OJT reimbursements for an individual trainee should not exceed the amount obligated as shown on the top of the Training Plan, or any subsequent modifications.

### Early Termination

If the trainee leaves during the training period, the employer will be reimbursed only for 50% of the wages **earned during training, prior to separation**.

### Writing a Second OJT for the Same Individual

When training is completed, there may be opportunity to see if an “upgrade” is possible (increasing pay \$.50 an hour or more) and if a “backfill” and a new hire can be negotiated. If “upgrade” is

possible, consider writing a second OJT for the same Trainee. Significant additional training, as documented in a new Training Plan, must be needed.

### Exceptions

As noted throughout these procedures, from time-to-time a participant or work conditions may not fit the “OJT” model. Exceptions should not become the norm but may be made when appropriate.

Recognized exceptions include:

- The trainee is not expected to be fully skilled (all “3”s on the Ending Capability score) at the end of the training period, but substantial training has occurred and the trainee is expected to be retained and trained further by the Employer. The Trainee should have gained a significant number of score points overall: “1”s to “2”s and some “2”s to “3”s, for example. An extension of the training period past the 26 weeks may be warranted, or the employer may deem the participant “trained” to a satisfactory level to maintain employment in the position.
- A current employee trainee will not achieve a wage gain of 50 cents per hour or more, and no upgrade and “backfill” is expected. If there are other considerations, such as benefits or lay-off aversion, an exception may be warranted.
- The job pays less than \$10.00 per hour but a special participant or employer circumstance exists. For example, medical benefits are provided to a single mother on public assistance or an employee with a recent prison stay, but the job only pays \$9.50 per hour. The employer might expect to accelerate pay increases through advancement so that trainees hired at \$9.50 can reasonably expect to earn \$10.00 at training completion.
- Training is critically needed and results can be measured, but may be for a very short or a very long period of time.
- A trainee’s individual circumstances should also be considered. For example, the OJT length or amount may be adjusted to reasonably accommodate learning or other disability.
- An exception can be requested if the OJT position is not in demand, but other circumstances warrant the placement.

All exceptions should be documented using the On-the-Job Training Exceptions form, and submitted to WSW prior to the start of the OJT.

### **1.3 Reimbursement Requirements**

If an employer is requesting a reimbursement rate above 50%, the service provider must set up a screening tool to ensure consideration of the criteria below. In order for an employer to be eligible to receive 51% to 75% reimbursement, **the OJT position must be in a demand occupation or industry** according to the [Local Demand Training Investment List](#). In addition, the service provider must consider the following criteria and document determination in file and case notes:

- Characteristics of the participant with an emphasis on someone with barriers to employment as defined in [WIOA Section 3\(24\)](#);

- Size of the employer with an emphasis on engaging small businesses in OJT opportunities;
- Quality of employer-provided training more consideration should be given to employers offering an industry-recognized credential or advancement opportunity;
- The number of participants the employer agrees to sponsor, consideration should be on number of OJT's compared to company size;
- Wage and benefit level of the participant (consideration should be given to employers that offer an increase in wage and benefit level at the completion of the OJT and/or during retention period);
- Employer attestation, in writing, that it is not delinquent in unemployment insurance or workers' compensation taxes, penalties, and/or interest.

#### **1.4 Forms**

The following standard OJT forms will be used, inserting the name and contact information of the provider where indicated. The forms are provided as Word Document Forms and are designed to be created on a computer and printed for signature. Electronic signatures will be accepted, please refer to [WSW Policy #2005](#) for more information. All forms can be found on the [WSW website](#).

- On-the-Job Training Employer Checklist to be completed prior to OJT start date
- On-the-Job Training Agreement and Rules to be completed prior to OJT start date
- On-the-Job Training Plan and Instructions to be completed within 2 weeks of OJT start date
- On-the-Job Supplemental Training Plan
- On-the-Job Training Exception Request
- On-the-Job Training Plan Modification
- On-the-Job Training Invoice

## 2. Individual Training Account

(To be followed for Adult and Dislocated Worker populations and all applicable funding sources)

### 2.1 Purpose

Under the Workforce Innovation and Opportunity Act (WIOA) Title I-B training services for enrolled participants can be provided through Individual Training Accounts (ITAs). ITAs are funded with WIOA Title 1-B Adult and Dislocated Worker funds and beginning July 1, 2017 are allowed for enrolled WIOA Out-of-School Youth participants age 16 – 24. These guidelines must also be followed by service providers for all other funding sources that allow for ITA's within our workforce development area.

Trainees are expected to take an active role in managing their employment future through the use of ITAs, among other resources. Enrolled trainees receiving training under this approach will receive information they need (e.g., skills assessment, labor market conditions and trends, training vendor performance) to make a self-informed choice about their own employment future – and the training to support their decision.

These procedures apply to WSW funded programs within the SW Washington Workforce Development Area comprised of Clark, Cowlitz, and Wahkiakum Counties.

WIOA regulations allow the state or local Board to impose limits on the dollar amount and/or duration of ITAs as long as those limits are not implemented in a manner that undermines the Act's requirement for providing training services while maximizing customer choice in the selection of an eligible training provider. Limits to ITA's may be established in these ways:

- Limits for each customer, based on the needs identified in the individual employment plan; or
- Policy decisions to establish a range of amounts and/or a maximum amount applicable to all ITAs.

An ITA is a training option available to eligible and appropriate customers when it is determined by a case manager that they will be unable to obtain or retain employment through career services alone. An ITA is limited in cost, duration, and must lead to employment in an approved demand occupation.

Training services funded through an ITA are defined as one or more courses or classes that, upon successful completion, lead to a:

- Certificate or associate degree; or
- Competency or skill recognized by other credentials; or
- Training regimen that provides customers with additional skills or competencies generally recognized by employers and WSW.

## 2.2 Requirements

ITAs are not entitlements and shall be provided to participants on the basis of an individualized assessment of the person's job readiness, employment and training needs, financial, social and supportive needs, labor market demand, and potential for successful completion. The participant's Individual Employment Plan (IEP) shall provide the justification for all services to be given including the appropriate combination of training and other services for the participant to achieve their employment goals. Priority must be given to *enrolled and otherwise eligible* veterans and their spouses under the Jobs for Veterans Act (see [WSW Veteran's Priority of Services and Eligibility Policy #3019](#)).

When awarding an ITA, the registering service provider assumes full (program) financial responsibility for the registrant, even when training is provided in another workforce area jurisdiction. The service provider awarding the ITA will be designated as the "area of registration" for anyone in training, thereby identifying the source of any future ITA funding for the trainee, regardless of where the training is provided. The financial responsibility of the registering service provider (area of registration) extends to supportive services. Emergency job or program counseling may be provided in either area of registration in which the training occurs.

Prior to the issuance of an ITA, participants must receive an assessment and career planning if the service provider determines the individual is unlikely or unable, by only receiving career services, to retain employment that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment. Additionally, the service provider must also determine that the training the individual receives would result in employment leading to self-sufficiency or wages comparable to or higher than wages from previous employment. The service provider must also determine that the individual has the skills and qualifications to successfully participate in and complete the training. After which, a customer may be considered for referral for training services and ITAs. Customers, who have been assessed and identified with specific barriers to employment, may be issued ITAs only after their specific barriers have been addressed.

Funding for training is limited to customers who are unable to obtain other grant assistance for training or who have a financial need that exceeds the assistance available from other sources. Training providers must consider the availability of Pell Grants and other grant sources to pay for training costs, so that WIOA funds supplement rather than replace the other sources of training grants. Training funds can be used for one quarter/semester or multiple quarters/semester depending on individual's needs. Participant's Individual Employment Plan should describe the training timeline including before and after ITA investment. The timeline should include certificates/credentials/degrees earned or anticipated to earn for the duration of the training plan and when is the participant projected to enter employment.

Once awarded, the participant must be registered in approved training within 90 days of designation of the ITA award.

### Individual Employment Plan (IEP)/ Needs Assessment

The individual employment plan is an individualized career service, that is jointly developed by the participant and case manager. The plan is an ongoing strategy to identify employment goals,

achievement objectives, and an appropriate combination of services for the participant to achieve the employment goals.

A thorough assessment of each customer should be done prior to final approval of an ITA. Recommended assessment criteria include:

- Customer's educational level;
- Previous skills training;
- Employment readiness level;
- Career goals;
- Customer's aptitude for the selected training;
- Availability and length of training;
- Cost of training;
- Financial ability of customer to undertake and complete training; and
- Potential for a customer to obtain employment at a livable wage.

The ultimate choice of an employment goal and subsequent training program requires careful consideration of a variety of factors. It is strongly recommended that in addition to taking into account a customer's personal interests, JobFit, or other occupational matching tools, and/or aptitude assessments be utilized to validate and ensure an appropriate match.

#### *Pre-Requisite to Skill Training Programs*

Prerequisite training to a vocational training program may be funded if it is required by the educational institution and ultimately leads to a credential in a demand occupation. Academic training may be approved if it meets specific requirements for certification, licensing, or specific skills necessary for an occupation within the demand occupations listed.

#### *Eligible Training Providers*

An ITA can only be issued to training provided by an educational institution that is on the State's ETP. Most common the training will be listed on the Washington State Eligible Training Provider List (ETPL) and in a program also listed on the ETPL but can also be listed on Oregon ETPL or another state's list. This information is posted on the Internet at: <http://www.careerbridge.wa.gov/> .

WSW, in partnership with the state, will identify training providers whose performance qualifies them to receive WIOA funds to train adults and dislocated workers. These include post-secondary educational institutions, national apprenticeship programs, community-based organizations and private organizations, other public or private providers.

*Out-of-State / Out-of-Area Providers:* All training programs must be within a reasonable commute of WSW area. Out-of-the area training programs that are not within commuting, may be approved on a case-by-case basis pending the customer's demonstrated ability to incur all extraordinary costs (e.g.: living expenses). All approved training must be located within the United States, and those training providers must be listed on that state's eligible training provider list.

#### *Satisfactory Progress in Training*



Trainees are required to make satisfactory progress in training to access all payments of their ITA. Satisfactory progress is defined as:

- The trainees's grade point average does not fall below 2.0 for more than one consecutive quarter or semester;
- The trainee maintains a grade point average sufficient to graduate from, or receive certification in, their approved area of study; and
- The trainee is completing sufficient credit hours to finish their approved course of study within the timeframe established under their approved training plan.
- In the case of self-paced or non-graded learning programs, satisfactory progress means participating in classes and passing certification examinations within the time frame established under their approved training plan.

Contact with the employment counselor/case manager and documentation of satisfactory progress in training must occur, at a minimum, at the end of each quarter during the lifetime of the training plan to ensure satisfactory progress in the training program. Generally, grade/competency reports or other appropriate information will be submitted by the trainee. If the trainee does not submit the required documentation, within the timeframe established by the employment counselor, the trainee will be declined future ITA funds until the information is received.

#### Modification to IEP/Subsequent ITA

A trainee may modify their IEP at anytime without prior approval. However, if a subsequent ITA is requested the service provider must receive prior approval from the WIOA Contractor Director and WSW Program Manager. In this case, justification supporting further training in order to obtain employment is required.

### **2.3 Covered Costs**

Only required costs associated with approved training programs will be covered. Optional costs, including tuition and fees for coursework not included in the required course of study; textbooks not listed as required on course syllabi; and supplies, training materials, and tools which are not required for all participants in the training program, are not covered. Exceptions will be considered on a case by case basis and must be pre-approved by the trainee's WorkSource employment counselor.

Required costs provided by the training provider that are covered through an ITA for an approved training program are as follows:

- Tuition, enrollment fees, and other fees such as lab and testing required for coursework outlined in the required course of study;
- Required textbooks and other supplies as listed on course syllabi; and
- Pre-requisite coursework may be included under the maximum authorization and duration as long as it is obtained from an eligible training provider listed.

Supportive services, if appropriate, shall be delivered pursuant to the [WSW Supportive Services Policy #3005](#). Supportive services could include required supplies, tools and training materials as listed on the course syllabi or supply lists.

### Coordination Training Funds

Service providers must consider the availability of other sources of grants, excluding loans, to pay for training costs so that WIOA funds are used to supplement but not supplant other sources. WIOA funds are intended to provide training services in instances when there is no grant assistance (or insufficient assistance) from other sources (i.e. Welfare-to-Work, Title IV Programs and state-funded grants) to pay for those costs (20 CFR 663.320). The use of WIOA funds to pay down a loan of an otherwise eligible participant is prohibited; however, the mere existence of a federal loan must not impact eligibility determinations.

Service providers must ensure that WIOA funds are not used to pay for training or services already covered by other sources. Training agreements, particularly with Pell-eligible institutions, should ensure:

- The institution cannot bill or be paid twice for the same expenses.
- Costs paid for by WIOA and by the Pell Grant are clearly identified and documented.
- Access is guaranteed to the WIOA participant's financial aid records (such as the Student Aid Report (SAR)).

In the case of performance-based contracts, liability for meeting performance benchmarks must remain with the school and the service provider. If the contract conditions payment on the trainee's successful completion and placement in the occupation trained for at the specified wage, the trainee shall not be liable to the school for WIOA funds withheld under a WIOA performance based contract. The school should also be prohibited by the terms of the Training agreement from using Pell funds, or any other federal funding sources, to recoup WIOA funds withheld when outcomes are not met.

### Obligating Funds

The training agreement will document a three-way commitment between the individual, the service provider, and the training institution. As a three-way contract, this agreement could obligate funds. If additional ITA funds are required beyond the agreed upon amount, a new agreement could be awarded up to the maximum ITA funding limit. While ITA funds would be obligated through this process, the service provider will have the flexibility to decide when to bill actual expenditures with the training provider. This system would have to address de-obligations as individuals receive additional resources and/or leave the training program prior to completion.

WSW reserves the right to make exceptions to this policy, on a case by case basis, should individual circumstances warrant exception.

### Availability of Funds

Training resources for customers is contingent upon the availability of funds provided by WIOA.

## 2.4 Limitations

It is the intent of WSW to use ITA dollars to help eligible participants gain a self-sufficient wage and to primarily focus training “investments” on building skills for occupations determined to be in high demand and/or critical to the local economy. As a result, ITA funding through WSW will be limited to only those customers who reside or work in Washington State. Dislocated Workers who are program eligible as a result of lost employment from a job within any of the three counties may also receive ITA funding.

In response to the target industry investment priorities identified in the Strategic Plan, WSW has established two occupational categories eligible for tuition assistance. WSW authorizes tuition assistance as follows:

### **Occupations approved for ITA funding:**

In response to the target industry investment priorities identified in the Strategic Plan, WSW has established two occupational categories eligible for ITA funding. WSW authorizes ITA funding as follows:

- **Demand Occupations:** Tuition assistance may be approved for occupations that WSW has determined to be in demand as listed on the [Local Demand Training Investment List](#). All caps listed below are maximum amounts and for the duration of the training.

#### **Sector specific industries as follows:**

- **Healthcare: \$15,000**
- **Manufacturing: \$12,000**
- **Technology: \$12,000**

**All other Demand Occupation Training: \$9,000**

**Duration of Training: Up to 3 years**

- **Balanced Occupations:** A limited number of training services may be approved for occupations listed as “in balance” if evidence exists that the occupation pays a Self-Sufficient wage with adequate local demand as determined by WSW. Evidence may include results from a local skills panel, employer surveys, or other documentation that indicates the industry is experiencing difficulty finding qualified workers or is anticipated to experience a significant workforce loss due to future retirements.

**Maximum ITA Amount: \$7,000 for the duration of training**

**Duration of Training: Up to 3 years**

In no event shall an ITA carry a time or dollar balance after the program of training is either completed or terminated.

*NOTE: ITA's and OJT's can be combined as long as the total cost does not exceed the maximum funding cap of \$20,000 for that specific occupation. Exceptions require prior approval from the WSW program manager.*

## **2.5 Exceptions**

On an individual basis, WSW may waive local policy requirements for any individual with physical or sensory disabilities or other unusual circumstance and it has been determined that training is necessary for the individual to obtain employment.

Under special circumstances and with proper justification, a request can be made to exceed the ITA funding limit, training duration or to authorize training in a not-in-demand or otherwise restricted occupation. In addition, an exception may be made on a case by case basis for those individuals seeking advanced degrees.

A completed Request for Exception form and appropriate supporting documentation must be submitted to the WIOA Contractor Supervisor for review. If approved, the request will be forwarded to WSW for final determination and approval.

## **2.6 Forms**

- Request for Exception Forms Exceed Funding Limit
- Request for Exception Form Not In Demand Occupation

All forms can be downloaded from the [WSW website](#).

### 3. Short Term Pre-Vocational Training

(To be followed for all populations and all applicable funding sources)

#### 3.1 Purpose

By law, short-term "prevocational services" are career services which include the development of learning skills, communication skills, interviewing skills, punctuality, personal maintenance skills, and professional conduct, to prepare individuals for unsubsidized employment or training.

#### 3.2 Requirements

A participant must be eligible to receive Enhanced Career Services or Training Services before paying for a short term pre-vocational training. Training shall be provided to participants on the basis of an individualized assessment of the participant's job readiness, employment and training needs, financial, social and supportive needs, labor market demand, and potential for successful completion. The participant's Individual Employment Plan (IEP) or Individual Service Strategy (ISS) shall provide the justification for all services to be given including the appropriate combination of training and other services for the participant to achieve their employment goals. Priority must be given to enrolled and otherwise eligible veterans and their spouses under the Jobs for Veterans Act ([WSW Veteran's Priority of Services and Eligibility Policy #3019](#)).

Funding for training is limited to customers who are unable to obtain other grant assistance for training or who have a financial need that exceeds the assistance available from other sources. Many of these trainings are coded as Enhanced Career Services, Individualized Career Services, or Short Term Classroom Training in ETO. Service type will depend on actual training provided.

#### 3.3 Procedures

WSW has adopted the approved definition of prevocational skills, to include short-term or low-cost preparatory training lasting **less than a week**, or at a cost of **\$750 or less**, as an enhanced career service and not funded through an ITA award. The Department of Labor has determined that adult literacy or basic computer literacy services are not part of the definition of training services under WIOA Title I-B. By WSW definition, 'English as a Second Language', (ESL) also falls under career services.

Providers may not pay for a participant to go through training more than once. If the participant fails the course or does not complete the course, WIOA will not pay for the course again. Participants have the right for consumer choice and providers will do their best and follow the rules laid out by the law to allow for such a choice. For short term training, the training provider is not required to be on the State Eligible Training Provider List (ETPL) however it is strongly recommended. If the requested training provider is not on the ETPL, the service provider must request that the training provider register for the ETPL.

Participant Supportive Services provided to participants enrolled in pre-vocational training should receive the same level of support offered to those in other types of training funded by the WIOA. If the support is required to participate in training, it is not considered a "supportive service" it is considered part of the training cost. If it is not required for training, but necessary to continue training or gain

employment it is considered a “supportive service”. If the support is a course requirement it must be written on the course syllabus or part of the registration paperwork for the training and a copy of the requirement documentation must be kept in the participant file as part of the training records. Providers must follow the WSW Supportive Service Policy #3005.

### **3.4 Exceptions**

Exceptions may be considered on a case-by-case basis. Exceptions may include but are not limited to: training cost over allowed amount, training is over allowed length, etc. A request must be sent to the WSW Program Manager for review and approval prior to training start date. Email request is acceptable.

## **4. Transitional Jobs**

(To be followed for Adult and Dislocated Worker populations and WIOA funding)

### **4.1 Purpose**

A transitional job is for WIOA enrolled Adults and Dislocated Workers. Transitional jobs can be effective solutions for individuals to gain necessary work experience that they would otherwise not be able to get through training or an OJT contract. The goal is to establish a work history for the individual, demonstrate work success, and develop skills that lead to entry into unsubsidized employment. The difference between a transitional job and an OJT contract is that in a transitional job there is no expectation that the individual will continue his or her hire with the employer after the work experience is complete.

### **4.2 Procedures**

Service providers must follow the procedures outlined under [Work Experience Sec 4.2](#). Transitional Job is provided as a “training service” and should be expended as such.

### **4.3 Requirements**

Service providers may use not more than 10 percent of the funds allocated to the local area involved under WIOA section 133(b) to provide transitional jobs under subsection (c)(3) that:

1. are time-limited work experiences that are subsidized and are in the public, private, or nonprofit sectors for individuals with barriers to employment who are chronically unemployed or have an inconsistent work history;
2. are combined with comprehensive employment and supportive services; and
3. are designed to assist the individuals described in subparagraph (A) to establish a work history, demonstrate success in the workplace, and develop the skills that lead to entry into and retention in unsubsidized employment.
4. must be provided along with comprehensive career services and supportive services.

### **4.4 Forms**

Service providers must the forms outlined under [Work Experience Sec 4.3](#).

## 5. Work Experiences/Internships

(To be followed for Adult, Dislocated Worker, and Youth populations and all applicable funding sources)

### 5.1 Purpose

Service providers may provide Work Experiences (WEX) and Internships opportunities for enrolled youth and adults using WIOA and other WSW funds to administer and pay wages. WEX/Internship opportunities must be provided within the SW Washington Workforce Development Area and neighboring workforce areas.

WSW requires that all Work Experiences and Internships follow the guidelines and documentation requirements listed below. WEX/Internship participants can be enrolled in an adult and/or youth program. WEX/Internships are primarily designed to provide participants with an occupational certificate/credential in a designated demand industry, or school credit, or permanent employment with a WEX employer, or gain work history with necessary skills to make the participant more employable. For a list of demand occupations in our region please refer to the [Local Training Investment List](#). A WEX/Internship is designed to be mutually beneficial for both a participant and a local employer. A WEX/Internship should never be utilized to replace an existing employee or position. *WEX/Internships can be both subsidized and unsubsidized as defined below.*

*Internships* are subsidized industry placements for those participants who need work experience before they will be marketable for sustained employment. The goal is provide job-ready participants with an opportunity to gain valuable work experience in the industry and area of employment identified in their Career/Employment Plan.

*Work Experiences (WEX)* are primarily intended to teach good work habits and basic work skills such as appropriate dress, timeliness, respect, common courtesies, and basic task completion for those who have never worked or who have not worked for a significant amount of time. WEX are also intended to provide the participant an opportunity to explore career choices in targeted industries and develop basic occupational related skills.

### 5.2 Procedures

#### 5.2.1 Youth

Youth WEX/Internships are available for participant's ages 16-24 enrolled in a WSW funded youth program. According to WIOA Law, paid and unpaid work experiences have a component academic and occupational education, which may include:

- summer employment opportunities and other employment opportunities available throughout the school year;
- pre-apprenticeship programs;
- internships and job shadowing; and
- on-the-job training opportunities (see [OJT Section 1](#))



Through a youth WEX/Internship, the participant will achieve an occupational certificate/credential, school credit or permanent employment with the employer. Where possible multiple outcomes above are desired. A work experience is successfully completed when a participant achieves his/her stated learning goals and the participant and employer are satisfied with the participation in the work experience as stated in the post-assessments.

Participation in a WEX/Internship activity shall be for a reasonable amount of time, between **3 and 10 weeks** and is required to be a **minimum of 90 hours**. All activity must be documented in the participant's Individual Service Strategy (ISS) and learning plan. A WEX/Internship placement must be age appropriate and directly aligned with participant's career goals listed in the ISS.

WSW expects that service providers facilitate employer paid WEX/Internships for all participants. However, if an employer is unable to pay for the wages, WIOA or other project funds may be utilized to pay wages for WEX/Internships. All youth WEX/Internships must follow the requirements as outlined below.

### **5.2.2 Adult**

Adult WEX/Internships are available for participants **ages 18 and older** enrolled in a WSW funded Adult program. Participation in a WEX/Internship activity shall be for a reasonable amount of time and is required to be between **90 and 240 hours**, or as referenced in specific grant requirements.

### **5.2.3 Co-Enrollment**

Co-Enrolled WEX/Internships are available for participants **ages 18-24** enrolled in a WSW funded youth and adult program. Providers must discuss participant program options and choose either youth WEX/Internship or adult WEX/Internship participation. All discussions should be based on participant need and fit. It is the expectation of WSW that providers **conduct regular and timely service provider check-ins regarding co-enrolled participants**. The service provider paying for the WEX/Internship will be responsible for all associated paperwork, WEX/Internship services, data tracking, compliance, and follow up.

## **5.3 Requirements**

WEX/Internship requirements are the same regardless of program enrollment unless specified.

1. The duties the participant will perform will expose them to and prepare them for post-secondary education into an "in demand" or "balanced" industry and/or entry into an "in demand" or "balanced" occupation as listed on the [Local Training Investment List](#) that is in a WSW designated target industry.
2. Participants may be paid a wage in line with the position and industry, with the minimum pay to be the prevailing State minimum wage **or as reference in a specific grant requirement**. The service provider will be the employer of record for those participants enrolled in a paid WEX/internship. Labor standards apply in any paid WEX/internship where an employee/employer relationship exists, as defined by the [Fair Labor Standards Act](#).

3. Each placement must contain a measurable academic and occupational component described in the Learning Plan.
4. Placements must be in the private sector, the nonprofit sector, or the public sector within Clark, Cowlitz, and Wahkiakum counties or in other bordering counties within Washington and Oregon with approval of a waiver by the WSW Program Manager.
5. All WEX/Internship placements must include all the required documentation listed below and stored in the participant's file.
6. A placement interview should be conducted by program staff: applicant must demonstrate professional readiness for placement. It is encouraged and considered ideal for the work site supervisor to be included in the placement interview, but is not a requirement.
7. The responsible service provider must contact the supervisor at a minimum once every two weeks; **or** more frequently as needed to ensure a successful experience.
8. It is recommended by WSW that each service provider supply a manual to the site supervisor that is reviewed with them prior to the commencement of the WEX/internship. The manual must outline procedures and responsibilities for participation in a WEX/internship. Required topics include intern orientation, human resource policies such as timesheets and time off, recommendations for monitoring/supervision, communication with case manager, prohibited and restricted activities and workplace safety.
9. For all ***WIOA Youth Service Providers***, a minimum of 20% of your contract expenditures must be spent on paid and unpaid work experiences that have a component of academic and occupational education which may include summer employment opportunities or year round opportunities (WEX), pre-apprenticeship programs, internships, job shadowing and on-the-job training. Expenditures may include personnel time to administer the WEX and participant wages.

#### **5.4 Forms/Documentation**

All documentation listed below must be signed and stored according to record retention policies in the participant's file. All documents may be signed electronically by following [WSW Electronic Signature Process Policy #2005](#). Form templates are attached to this policy and may be customized by each service provider and approved by WSW . The templates can be found on the [WSW website](#). The required forms are:

***Training Agreement:*** An agreement made between the employer and service provider that outlines the program requirements and expectations. The training agreement must be fully executed prior to the start of the work experience/internship by having the employer and the program staff sign. The agreement may be used for group training with a single work site provided that the learning plan, job description, work conditions, wages, and term of the agreement are the same for all participants covered under this agreement.

Learning Plan: A signed agreement between the Worksite Supervisor, the participant, and the case manager that describes the goals and expectations during the WEX/Internship. The learning plan must be signed prior to training start date.

Pre-Assessment: An assessment of the participant's skills at the beginning of the WEX/Internship. The Pre-Assessment must be completed during the first two weeks of the placement by the worksite supervisor.

Post-Assessment: An assessment of the participant's skills at the end of the WEX/Internship. The assessment is intended to show improvement or lack of during the WEX/Internship. The Post-Assessment must be completed the last day of the WEX/Internship by the worksite supervisor.

Waiver Request: On an individual basis, WSW may waive local policy requirements for any individual with physical or sensory disabilities or other extenuating circumstance and it has been determined that the desired work experience or internship is necessary for the individual to obtain relevant work experience. A waiver request must be submitted for participants pursuing a WEX/Internship in a "not in demand" occupation according to the [Local Training Investment List](#). A completed WEX/Internship Waiver Request form and appropriate supporting documentation must be submitted to the WSW Program Manager for review. Waiver must be fully executed prior to the training start date.

Timesheet: The participant's work hours must be recorded using a timesheet. In addition, the timesheet may be used to assess the participant's skills throughout the paid WEX/Internship. All participant timesheets (copies or originals) must be kept in the participant file for each pay period.

## **5.5 Data Entry**

- For purposes of WIOA, all **adult** WEX/Internships will be entered in ETO as a "career service".
- For the purposes of WIOA, all **youth** WEX/Internships will be entered in ETO as a "training service".
- For all other funding sources use the data entry requirements described in the contract/grant.

## **6 Entrepreneurial Training**

(To be followed for all populations and all applicable funding sources)

### **6.1 Purpose**

[Section 134\(c\)\(3\)\(D\)\(vii\)](#) of the Workforce Innovation and Opportunity Act (WIOA) cites “entrepreneurial training” (also known as self-employment training) as an allowable training service for adults and dislocated workers. Entrepreneurial Skills Training is also a required element under the WIOA youth program as found in Section 134 (c)(2)(L). Individuals enrolled in WIOA must be provided the opportunity to enroll in a self employment program as described in [RCW 50.62.030](#). Washington state established the [Self Employment Assistance Program](#) as described in [RCW 50.20.250](#) to assist unemployed individuals and create new businesses and job opportunities.

### **6.2 Requirements**

Entrepreneurial services are available for individuals who, after interview, evaluation or assessment, and case management are determined to be unlikely or unable to obtain or retain employment that leads to self-sufficiency or higher wages than previous employment through career services alone. The participant must be determined to be in need of training services and possess the skills and qualifications to participate successfully in the selected program.

Service Providers must ensure that the selected training is suitable for the individual participant based on a documented assessment of a percentage job match of 75% or higher. Job matching tools such as Career Fit. It is important to ensure federal funds are spent on participant’s that are in need and have the appropriate skills/knowledge to be successful as an entrepreneur. Documentation of completed assessments must be kept in participant file.

Individuals eligible for WIOA must be provided the opportunity to enroll in self-employment or entrepreneurial training programs on the same basis as they are provided the opportunity to enroll in other WIOA-funded training, which is consistent with WIOA customer choice principles.

Service providers must notify all WIOA-eligible individuals of the availability of self-employment training, including but not limited to WIOA-eligible training providers.

Training must be in a in demand industry/occupation and training/support must result in the participant earning a self sufficient wage.

As with all WIOA funded training or support other resources must be exhausted. For example, programs are available at local Chamber of Commerce’s, Small Business Association, Self-Employment Assistance Program (SEAP), and community colleges. WIOA funds should be used to supplement these other programs to ensure success of the program.

### **6.3 Available Training Options**

All WIOA Service Providers will provide information on local training options for entrepreneurial training throughout the WorkSource system to both staff and customers. Employment Specialists will provide specific information regarding community organizations that work with those who are interested in starting businesses and self-employment.

Available opportunities to share program options include, but are not limited to:

- Coursework options at local community and technical colleges
- Training options available at other approved providers
- Information available at local WorkSource and Affiliate offices
- Hotlinks and referral to self-employment organizations offering specific business start-up information and assistance Courses already on the Employment and Training Providers List (ETPL) will be immediately available to individuals eligible for training under WIOA, where appropriate. Training Providers not on the ETPL will be encouraged to apply at the [Career Bridge website](#).

Available training options could include, but are not limited to:

- Refresher training and/or certifications required in business plan or licensing for participant's industry of choice. Required training and/or certifications must be documented as required prior to expending the funds. Such as listed on the licensing requirements for opening xx business;
- Courses on managing business finances and fiscal reporting, such as how to read profit and loss reports;
- Course on how to market the business, including evaluating the market;
- Course on how to manage the business;
- Course on how to build a successful business (key elements that are needed);
- Course on understanding the customers;
- Course on sustainability;
- Course on how to write a business plan

Training and certifications must only be paid once, it is the expectation of the participant to absorb any costs after the initial support.

Entrepreneurial coursework should provide adequate information for the WIOA participant to begin business startup. The coursework may include other components, but at a minimum, the WIOA participant must develop a business plan upon completion of training. (See below for definition of business plans.)

**DEFINITION: Business Plan** – The business plan describes the business (type of industry or sector, legal structure, product/service to be sold, projected customer base, and profits, market strategies (definition of market, projected market share, pricing, distribution and sales), competitive analysis (identifying and analyzing competitors' strengths and weaknesses), design/development (product, market and organizational development), operation/management (organizational structure, personnel, operating expenses, capital requirements, costs of goods) and finances (income statement, cash flow, balance sheet).

#### **6.4 Covered Costs**

WIOA training funding can pay for only required costs associated with approved training. Optional costs, including supplies and fees for coursework not included in the required course of study;

textbooks not listed as required on course syllabi; supplies; training materials; and tools which are not required for all participants in the training program, are not covered by training dollars and may be provided through supportive service dollars if appropriate.

WIOA training dollars can pay for tuition, enrollment fees, and other fees required for coursework outlined in the required course of study and required textbooks and other supplies as listed on course syllabi. Total entrepreneurial training will not exceed \$2,500 per participant.

Supportive services, if appropriate, shall be delivered pursuant to the [WSW Supportive Services Policy #3005](#). Supportive services should be given to support the participant in training or gain employment. Support could include supplies and tools not listed on the course syllabi or supply lists or transportation assistance, certification fees (one time only), and licensing costs (one time only). WIOA funds should not be used for space rent, insurance costs, loan payments, employee payroll, and other disallowed costs listed in the WSW Supportive Services Policy. Justification and documentation of these costs is imperative and must be kept in participant file (electronic or hard copy).

## **6.5 Data Entry**

WIOA Entrepreneurial Training must be documented in ETO as “entrepreneurial training” and the participant must be marked as self employment as an employment goal. All services must be recorded accordingly. If the participant is successfully employed as an entrepreneur, the service provider must obtain documentation of self-employment wages to be used as supplemental data for performance. Documentation should be uploaded to ETO.

## 7 Incumbent Worker

(To be followed for Adult and all specific Incumbent Worker Training funding sources)

### 7.1 Purpose

Incumbent worker training is designed to increase the competitiveness of the employee and employer. Per [WIOA Section 134\(d\)\(4\)\(A\)\(i\)](#) and proposed [20 CFR 680.780](#), WSW may reserve and expend up to 20 percent of their combined adult and dislocated worker formula allotments for incumbent worker training.

The training designed to meet the special requirements of an employer (or group of employers) to retain a skilled workforce or avert the need to lay off employees by assisting workers in obtaining the skills necessary to retain employment and conducted with a commitment by the employer to retain or avert the need to lay off employees.

### 7.2 Requirements

Training must meet funding requirements and generally focus on upgrading an employee's skills related to the company's core business. Incumbent worker training is designed to either assist workers in obtaining the skills necessary to retain employment or to avert layoffs and must increase both a participant's and a company's competitiveness. Training is designed to ensure that employees of a company are able to gain the skills necessary to retain employment and advance within the company or to provide the skills necessary to avert a layoff. The training should, wherever possible, allow the participant to gain industry-recognized training experience, and ultimately should lead to an increase in wages.

#### 7.2.1 Incumbent Workers

An incumbent worker must be all of the following:

- Employed – an individual working a minimum of 30 hours a week;
- Meet the [Fair Labor Standards Act](#) requirements for an employer-employee relationship;
- Have an established employment history with the employer for six (6) months or more; and
- Residents of Clark, Cowlitz, or Wahkiakum County or if employer is located in service area, incumbent worker may be a resident of the neighboring Oregon counties.

Note: Per proposed [20 CFR 680.780](#), an incumbent worker does not necessarily have to meet the eligibility requirements for career and training services for adults and dislocated workers under this Act.

In order to provide training to incumbent workers using either local Adult and/or Dislocated Worker WIOA formula funds or WIOA statewide discretionary funds provided by the Governor, the service provider must set up a screening tool to ensure consideration of the following factors. In addition, the service provider must document determination in file and case notes:

## 7.2.2 Eligible Employers

Employer must meet the following requirements to be eligible for training:

- Must be a Clark, Cowlitz, and Wahkiakum County employer (either physically located in service area or employ residents of the service area). If employer is located outside of our 3 county service area, reimbursement of training costs will only be for those incumbent workers that are residents of Clark, Cowlitz or Wahkiakum County;
- Must demonstrate that incumbent worker training will increase ability to create and/or retain jobs;
- The quality of the training must lead to or offer industry-recognized credentials and/or advancement opportunities; and
- Must be classified under targeted industries defined in the Strategic Plans of WSW, CREDC, and CEDC. See [Local Demand Training Investment List](#) for occupation list and/or [Strategic Plans](#) for current targeted industries.

The following factors must be a consideration when determining employer's eligibility:

- The characteristics of the incumbent workers to be trained, specifically the extent to which they historically represent individuals with barriers to employment as defined in [WIOA Section 3\(24\)](#), and how they would benefit from retention or advancement;
- The number of participants the employer plans to train or retrain;
- The wage and benefit levels of participants (before and after training);
- The employer must not have laid off workers and relocated within 120 days of receiving incumbent worker training services; and
- The employer is current in unemployment insurance and workers' compensation taxes, penalties, and/or interest or related payment plan.

Service providers must document the factors that were considered in approving an incumbent worker training project with an employer.

*Displacement Restriction:* If an employer has recently relocated and the relocation resulted in any employee losing his or her job at the original location, the incumbent worker training services may not be provided until the company has operated at the new location for 120 days.

### Employer Share of Training Costs:

Per [WIOA Sections 134\(d\)\(4\)\(C\) and 134\(d\)\(4\)\(D\)](#) and [proposed 20 CFR 680.820](#), employers participating in incumbent worker training are required to pay the non-WIOA (non-federal) share of the cost of providing training to their incumbent workers. The employer share is based on the size of the workforce (wages paid to the participant while in training can be included as part of that share and the share can be provided as cash or in-kind that is fairly evaluated) as follows:



- At least **10 percent** of the cost for employers with 50 or fewer employees
- At least **25 percent** of the cost for employers with 51 to 100 employees
- At least **50 percent** of the cost for employers with more than 100 employees service providers must track and document employer cost share contributions.

### **7.3 Procedures**

#### Approval Process

Employers are approved on a case-by-case basis by the WSW Program Manager and/or approved Service Provider based on the Priority of Business and Statement of Work. The following proposal documents will be reviewed by a designated committee which will include a representative from WSW:

- Scope of Work
- Need for Training
- Training Outline (including deliverables and approximate timeline for training)
- Training Outcomes (skills learned, etc.)
- Benefit to Trainees
- Occupational Classifications and Average Wages of Trainees
- Budget

#### Priority of Business Selection

WW and/or approved Service Provider will use the following criteria for ranking priority during approval of training proposals:

1. Training meets the requirement of the funding source;
2. Economic Development Projects involving a business expansion or retention (existing site expansion or relocation to new site within Southwest Washington) or recruited companies (within two years of relocation to Clark, Cowlitz, or Wahkiakum Counties);
3. Training for labor skill sets that are in critical shortage within the region;
4. Traded Sector small to medium business (\$2 million to \$20 million annual sales);
5. Companies that have not previously received subsidized training through WSW or a WSW partner within the last two years;
6. Training that supports retention of recently hired employees (within one year of hire) and/or directly supports additional job creation within the company;
7. Companies that agree to abide by the terms and conditions of the grant, including reporting and employee documentation;
8. If applicable, a written union letter of support for training activities involving union positions

Service providers must document the priority and ranking that was considered in approving an incumbent worker training proposal. It is the expectation that if an employer's proposal meets multiple criteria they are ranked higher than a proposal that meets fewer criterions.

## 8 Customized Training

(To be followed for Adult and Dislocated Worker programs.)

### 8.1 Purpose

WIOA allows for the use of customized training in accordance with the ESD Policy #5616. Service providers may use WIOA funding to pay for group training, in lieu of individual training accounts, when the training is otherwise approvable under federal and state law and policy. In addition, the training is only allowed if the individual's rights for consumer choice are not superseded. This training option is available for "**incumbent workers**" or "**new workers**". Customized training is generally for hiring new or recently hired employees and not for retraining existing long term employees. Incumbent worker training may be used to provide training for current employees as a layoff aversion strategy.

Customized training is training that is designed to meet the specific requirements of an employer (including a group of employers), that is conducted with a commitment by the employer to employ an individual upon successful completion of the training, and for which the employer pays a significant portion of the cost of training (see employer share below).

Customized training should be considered when available training programs and/or curricula do not meet the specific training requirements of employer(s).

### 8.2 Requirements

- i. Customized training must be:
  - a. Used to meet the special requirements of an employer or group of employers;
  - b. Conducted with a commitment by the employer(s) to employ all individuals upon successful completion of the training; and
  - c. Paid for, in part, by employers, who must pay a "significant cost" of the training. Significant cost is defined below under Employer Share of Training Costs.
- ii. Individuals considered for customized training must meet eligibility requirements for Adult or Dislocated Worker programs. Employed individuals may be considered for customized training under specific conditions. An employed individual being considered for customized training must:
  - a. Not be earning a self-sufficient wage as determined by the WSW Eligibility Handbook;
  - b. Meet the Fair Labor Standards Act requirements for an employer-employee relationship; and
  - c. Receive training that incorporates new technologies, processes, or procedures; offers skills upgrades; provides workplace literacy; or serves other appropriate purposes (requires prior approval from WSW Program Manager).

#### 8.2.1 Eligible Employers

Employer(s) must meet the following requirements to be eligible for training:

- Must located in Washington State;

- Must be currently liable for Washington State Business and Occupation tax;
- Must demonstrate that the customized training will increase ability to create jobs;
- Must be able to commit to hire participants after successful completion of training;
- Must not have laid off workers and relocated within 120 days of receiving training services;
- The employer must be current in unemployment insurance and workers' compensation taxes, penalties, and/or interest or related payment plan;
- Must be able to contract for customized, short-term, training services (typically less than 9 months);
- The quality of the training must lead to or offer industry-recognized credentials, other credentials or exams validated by industry and/or trade or professional associations; and
- Must be classified under targeted industries defined in the Strategic Plans of WSW, CREDC, and CEDC. See [Local Demand Training Investment List](#) for occupation list and/or [Strategic Plans](#) for current targeted industries.

The following factors must be a consideration when determining employer's eligibility:

- New workers to be trained must have barriers to employment as defined in [WIOA Section 3\(24\)](#), and how they must describe how they would benefit from this training;
- The number of participants the employer plans to train; and
- The wage and benefit levels of participants (before and after training);

Service providers must document the factors employer eligibility prior to the training project starting.

*Displacement Restriction:* If an employer has recently relocated and the relocation resulted in any employee losing his or her job at the original location, the customized training services may not be provided until the company has operated at the new location for 120 days.

### **8.2.2 Employer Share of Training Costs**

Employers participating in customized training is required to pay for a "significant portion of the cost of the training". The employer share is based on the size of the workforce (wages paid to the participant while in training can be included as part of that share and the share can be provided as cash or in-kind that is fairly evaluated) as follows:

- At least **10 percent** of the cost for employers with 50 or fewer employees
- At least **25 percent** of the cost for employers with 51 to 100 employees
- At least **50 percent** of the cost for employers with more than 100 employees service providers must track and document employer cost share contributions.

### **8.3 Procedures**

### Approval Process

Employers are approved on a case-by-case basis by the WSW Program Manager and/or approved Service Provider based on the Priority of Business and Statement of Work. The following proposal documents will be reviewed by a designated committee which will include a representative from WSW:

- Scope of Work
- Need for Training
- Training Outline (including deliverables and approximate timeline for training)
- Training Outcomes (skills learned, etc.)
- Benefit to Trainees
- Occupational Classifications and Average Wages of Trainees
- Budget

### Priority of Business Selection

WSW and/or approved Service Provider will use the following criteria for ranking priority during approval of training proposals:

1. Training meets the requirement of the funding source;
2. Economic Development Projects involving a business expansion or retention (existing site expansion or relocation to new site within Southwest Washington) or recruited companies (within two years of relocation to Clark, Cowlitz, or Wahkiakum Counties);
3. Training for labor skill sets that are in critical shortage within the region;
4. Traded Sector small to medium business (\$2 million to \$20 million annual sales);
5. Companies that have not previously received subsidized training through WSW or a WSW partner within the last two years;
6. Training that supports retention of recently hired employees (within one year of hire) and/or directly supports additional job creation within the company;
7. Companies that agree to abide by the terms and conditions of the grant, including reporting and employee documentation;
8. If applicable, a written union letter of support for training activities involving union positions

Service providers must document the priority and ranking that was considered in approving an incumbent worker training proposal. It is the expectation that if an employer's proposal meets multiple criteria they are ranked higher than a proposal that meets fewer criterions.

## 9 Post-Secondary Tuition Payments

(To be followed for Youth programs, Adult programs must follow [ITA Section 2](#))

### 9.1 Purpose

WIOA stipulates fourteen different program elements that Workforce Development Councils must ensure are offered throughout their service area. Two of those required program elements are Occupational Skill Training, which shall include training programs that lead to recognized postsecondary credentials that are aligned with in-demand industry sectors or occupations in the local area involved and education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster. One of the various ways to offer and support Youth Occupational Skill Education and Training is in the way of tuition assistance to include; academic or occupational learning, development of leadership skills, further education, or additional training.

### 9.2 Requirements

Occupational Skill Training for purposes of this policy is defined as any training that will provide a participant with an opportunity to enhance their ability to succeed in certain occupations either at entry, intermediate, or advance career levels. Tuition assistance may be available to support Occupational Skill Training with WIOA funds being used if the payment is a necessary need to accomplish goals described in the customer's Individual Service Strategy. These tuition funds are not intended to facilitate the acquisition of degrees, diplomas, or certificates strictly for the sake of education. Acquisition of tuition funds must have a direct connection in preparing the customer for a specific occupation available in the labor market. See covered costs below.

In response to the target industry investment priorities identified in the Strategic Plan, WSW has established three occupational categories eligible for tuition assistance.

WSW authorizes tuition assistance as follows:

- **Demand Occupations:** Tuition assistance may be approved for occupations that WSW has determined to be in high demand as listed on the [Local Demand Training Investment List](#).
- **Balanced Occupations:** Tuition assistance may be approved for occupations that WSW has determined to be in demand, but lacks a significant projected growth potential therefore listed as "balanced" as listed on the [Local Demand Training Investment List](#).
- **Not in Demand Occupations:** A limited number of training services may be approved for occupations listed as "Not in Demand" if evidence exists that the occupation pays a Self-Sufficient wage with adequate local demand as determined by WSW. Service Providers must receive approval from WSW Youth Initiatives Manager prior to training start date.

### Eligible Training Providers

WSW authorizes tuition assistance to be paid to providers on the Washington State Eligible Training Providers List (ETP). Tuition assistance can only be issued to training provided by an educational institution that is on the ETP and for a program also listed on the ETP. This information is posted at: <http://www.careerbridge.wa.gov/>.

WSW, in partnership with the state, will identify training providers whose performance qualifies them to receive WIOA funds to train those in need. These include post secondary educational institutions, national apprenticeship programs, community-based organizations, private organizations, other public or private providers.

### **9.3 Covered Costs**

WIOA tuition assistance may be used if all other resources have either been exhausted or unavailable at the time of the need. Other resources to consider before WIOA funds include but are not limited to PELL grants, scholarships, federal financial aid, or other WIOA sources. When it makes sense, WSW encourages those over 18 to be co-enrolled with the WIOA Adult Program.

Tuition assistance is approved to use in the following ways:

1. One quarter of tuition at a community college. During that quarter, it is the expectation that the participant is working towards securing other means of support, such as financial aid, scholarships, or other work supports.
2. One semester class at a University. During that semester, it is the expectation that the participant is working towards securing other means of support, such as financial aid, scholarships, or other work supports.
3. A career and technical education course at an accredited school. For example, Certified Nursing Assistant or vocational certification. The course must enhance the participant's knowledge and skill in a demand occupation.

Only required costs associated with approved training programs will be covered. Required costs that can be submitted for coverage under tuition assistance are:

- Tuition, enrollment fees, and other fees such as lab and testing required for coursework outlined in the required course of study;
- Required textbooks as listed on course syllabi;
- Required supplies and training materials as listed on course syllabi or supply lists; and
- Required tools as listed on course tool lists.

Optional costs, including tuition and fees for coursework not included in the required course of study; textbooks not listed as required on course syllabi; and supplies, training materials, and tools which are not required for all participants in the training program, are not covered.

Participants are required to maintain satisfactory progress in the selected training program. Satisfactory progress is defined as:

- Maintaining a grade point average sufficient to graduate from and/or receive certification in their approved area of study; and/or
- Completing sufficient credit hours to complete program in the timeframe established; and/or
- Contact with the customer's case manager must be made at the end of each training segment to ensure satisfactory progress is being made, whether that be quarter, class, session, etc.

Supportive services, if appropriate, shall be delivered pursuant to the [WSW's Supportive Services Policy #3021](#).

#### **9.4 Limitations and Guidelines**

The following guidelines are provided to assist in administering tuition assistance:

1. Service Providers are authorized to provide tuition assistance up to \$2,000 per participant for their entire enrollment with the WIOA Youth Program.
2. For tuition assistance amounts above \$2,000, an exception request must be submitted to the WSW Youth Initiatives Manager prior to spending over \$2,000.
3. Participant files must adequately document that all tuition assistance is allowable, reasonable, justified, and not otherwise available to the customer and show evidence of collaboration, when feasible. Assessment of the customer's need for tuition assistance must also be documented in MIS case notes.
4. Occupational Skills Training and Work Experiences are not allowable expenses during the follow up phase of the WIOA Youth Program.