



workforce  
SOUTHWEST WASHINGTON

**WSW Executive Committee Meeting  
Zoom Conference Call  
June 26, 2024 3:30 – 4:00 pm**

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**AGENDA**

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3:30	<u>Welcome</u>	<b>A.D. Simmons</b>
3:40	<u>Consent Agenda*</u> <ul style="list-style-type: none"><li>• Approval of Executive Committee Minutes</li><li>• Approval of Contract Memo</li><li>• Approval of Policy Memo<ul style="list-style-type: none"><li>○ Training Handbook Rev 12</li></ul></li></ul>	<b>A.D. Simmons</b>
3:45	<u>CEO Update</u>	<b>Miriam Halliday</b>
3:55	<u>Open Discussion / Other Items</u>	<b>A.D. Simmons</b>
4:00	<u>Adjourn</u>	<b>A.D. Simmons</b>

**\* - Action Required**

**NOTES**

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July 24, 2024 – Executive Committee Meeting – **Cancelled**  
August 14, 2024 – Executive Committee Meeting - TBD



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**WSW Executive-Finance Committee Meeting Minutes**  
**May 22, 2024**  
**3:30 p.m.**  
**Zoom Conference Call**

**Executive Committee Members Present:** A.D. Simmons, Corey Giles, Adrienne Watson, Monte Constable, Mark Tishenko, Renny Christopher, Ted Sprague, and Councilor Bowerman.

**Executive Committee Members Not Present:** Paige Spratt.

**Finance Committee Members Present:** Bob Gustainis, John Vanderkin, Mandy Kipfer, and Jim Lucey.

**Staff Members Present:** CEO Miriam Halliday, Barri Blair, Darcy Hoffman, Amy Gimlin, Mando Antonino, and Traci Williams.

**WELCOME:**

Interim Chair A.D. Simmons opened the meeting at 3:31 p.m. and welcomed everyone in attendance.

**APPROVALS:**

Having reached quorum, Interim Chair Simmons entertained a motion to approve the Consent Agenda, consisting of the Executive Committee minutes held on April 24, 2024, Contract Memo, and acknowledgement of the PY22 One Stop Annual Report.

**Renny Christopher moved to approve the Consent Agenda as presented, second by Adrienne Watson. Motion carried.**

**FINANCE:**

Treasurer Renny Christopher went over the Quarterly Report memo that went over the WSW coordination and admin, WIOA fund obligations, WIOA subcontract details, grant budget vs actual spending, and subcontract spending and performance for PY23 Q3. A motion was entertained to approve the Finance Committee minutes held on February 21, 2024.

**John Vanderkin moved to approve the Finance Committee minutes as presented, second by Bob Gustainis.**

WSW's CFO, Barri Blair presented the proposed budget for PY24. CFO Blair invited questions and comments on the proposed budget with discussion following. A motion was entertained to recommend approval of the PY24 budget to the full board as presented with all in favor.

**John Vanderkin moved to approve the PY24 Budget as presented to the June 11<sup>th</sup> board meeting for final approval, second by Bob Gustainis. Motion carried.**

**EcSA RFP MEMO:**

WSW's Program Manager, Mando Antonio went over the timeline of the EcSA RFP, the selection process of the Scoring Committee, and the scoring rubric and the criteria that the committee scored the proposal. The criteria for the scoring rubric were the following: proposal summary, demonstrated experience and ability, relationships and collaboration, program design, and budget detail & narrative.

Based on proposal and discussion at the Scoring Committee's convening meeting, the Committee recommends the WSW Executive Committee award the proposal of Next Careers Consortium for the EcSA Youth and Business connected with Economic Security for All. Total contract amount for PY24 not to exceed \$345,000.00. \$300,000 for youth service delivery contracted to Career Path Services, Career Team, and Partners in Careers and \$45,000 for business services contracted to Partners in Careers and Goodwill of Rainier and Olympic Region for the period between July 1, 2024 – June 30, 2027.

Additionally, based on the proposals received, discussion, and recommendations of the Scoring Committee, the Scoring Committee recommends that the Executive Committee approves and recommends to the WSW's Board of Directors to award the proposal and of Equus Workforce Solutions for Adult services in all three counties connected with Economic Security for All. Total contract amount not to exceed \$530,000.00 for the period between July 1, 2024 – June 30, 2027.

**Monte Constable moved to approve the Scoring Committee's EcSA funding recommendations as presented to the full board for final approval, second by Adrienne Watson. Motion carried.**

**EcSA BUSINESS SERVICES RFP MEMO:**

WSW's Director of Business Services, Darcy Hoffman went over the timeline of the EcSA CRF Business Services RFP, the selection process of the Scoring Committee, and the scoring rubric and the criteria that the committee scored the proposal. The criteria for the scoring rubric were the following: demonstrated experience and ability, relationships and collaboration, and budget.

Based on proposal and discussion at the Scoring Committee's convening meeting, the Committee recommends the WSW Executive Committee award the proposals from LatinoBuilt, and Business Impact NW for the Focused Business Services connected with Reinvest WA and Economic Security for All. The Scoring Committee also recommends that the Chief Executive Officer and the WSW Executive Committee award the proposal of Fourth Plain Forward, for the Focused Business Services connected with Reinvest WA and Economic Security for All. Total contract amounts not to exceed \$245,000 with \$150,000 for Fourth Plain Forward, \$50,000 for Business Impact NW, and \$45,000 for LatinoBuilt for the period between June 12, 2024- May 31, 2025.

**Adrienne Watson moved to approve the Scoring Committee's EcSA CRF Business Services funding recommendations as presented to the full board for final approval, second by Renny Christopher. Motion carried.**

**GOVERNANCE:**

**Board Member Nominations:** CEO, Miriam Halliday gave a brief overview of new potential board members, Matt Seimears, President for Lower Columbia College, under Post-Secondary Education Cowlitz County; Kyria McGill, HR Manager for Portco Packaging under Private Sector Cowlitz County; Max Booth, Community Engagement & Development for Maddox Industrial Transformer under Private Sector Clark County; Joe Vansyckle, Director Southwest Coastal Region under WIOA Partner Clark County, Ed Nicholson, Sr. Recruiter for TSMC Washington under Private Sector Clark County; and Dustin Hysmith, Business Representative for NWRC of SMART Local #16 Sheet Metal Workers under Organized Labor Clark County. The Governance Committee and CEO Miriam Halliday recommends that Matt Seimears, Kyria McGill, Max Booth, Joe Vansyckle, Ed Nicholson, and Dustin Hysmith be put forward to the full board for nomination. A motion was entertained to approve the individuals listed above to the full board at the June 11th meeting.

**Adrienne Watson moved to approve Matt Seimears, Kyria McGill, Max Booth, Joe Vansyckle, Ed Nicholson, and Dustin Hysmith to the June 11th board meeting for final approval, second by Monte Constable. Motion carried.**

**Board Officers:**

The Executive Board approved the following slate of officers for a final vote at the June board meeting: A.D. Simmons, Board Chair with term ending June 30, 2026, and Renny Christopher, Treasurer with term ending December 10, 2024 in accordance with WSW's Bylaws.

**Adrienne Watson moved to approve the slate of board officers for presentation to the full Board at the June 11<sup>th</sup> meeting as presented, second by Karen Bowerman. Motion carried with all in favor with each elected officer abstaining from their own motion.**

**Term Renewals:**

CEO Halliday shared with the board the need for renewal of three-year Council member terms for Karin Edwards, Clark College; Jen Baker, CREDC; Tracy Doriot, Doriot Construction; A.D. Simmons, Aligned Lifestyle Concierge; Monte Constable, DSHS; and John Vanderkin, On-Line Support.

The Governance Committee and CEO Miriam Halliday recommends that Karin Edwards, Jen Baker, Tracy Doriot, A.D. Simmons, Monte Constable, and John Vanderkin be put forward to the full board for their three-year board seat renewal. A motion was entertained to approve the individuals listed above to the full board at the June 11th meeting.

**Adrienne Watson moved to accept the renewal of Karin Edwards, Jen Baker, Tracy Doriot, A.D. Simmons, Monte Constable, and John Vanderkin to the June 11th board**

**meeting for final approval, second by Corey Giles. A.D. Simmons and Monte Constable abstained from voting. Motion carried.**

**CEO UPDATE:**

CEO Miriam Halliday reviewed the draft June Board of Directors meeting agenda. CEO Halliday also reminded the Executive Committee about the May Board of Directors retreat that will be held on May 29<sup>th</sup> at the Kalama McMenamins.

**NEW BUSINESS / OTHER ITEMS:**

None was forthcoming.

**ADJOURNMENT:**

With nothing further for the good of the order, Interim Chair Simmons entertained a motion to adjourn the meeting at 4:57 p.m.

**Adrienne Watson moved to adjourn the meeting at 4:57 p.m.**

DRAFT



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**CONTRACT MEMO**

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**DATE:** JUNE 20, 2024  
**TO:** MIRIAM HALLIDAY, WSW CHIEF EXECUTIVE OFFICER  
WSW EXECUTIVE COMMITTEE MEMBERS  
**FROM:** LINDA CZECH, WSW CONTRACTS MANAGER  
**RE:** CONTRACT UPDATE (MAY-JUN 2024)

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WSW **modified** the following contracts:

- Strategies 360 to increase budget by **\$15,000** for Economic Security for All Community Reinvestment Digital Outreach contract, total budget is **\$45,000** end date is **May 31, 2025**.
- Career Path Services to modify the Operator budget, no change in total of **\$328,603.90** or end date of **September 30, 2024**.

WSW **executed** the following contracts:

- Career Path Services for **\$150,000** for Business Services Manager Workforce Innovation and Opportunity Adult, Dislocated Worker, Youth and Department of Commerce Economic Security for All Community Reinvestment contract. **Start date changed to March 1, 2024**, end date **June 30, 2025**.

WSW **notification of grant award/execution**:

- No updates

**Board Approval Needed-**

- None



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**POLICY MEMO**

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**DATE:** JUNE 20, 2024  
**TO:** MIRIAM HALLIDAY, WSW CHIEF EXECUTIVE OFFICER  
WSW EXECUTIVE COMMITTEE MEMBERS  
**FROM:** TRACI WILLIAMS, WSW OPERATIONS MANAGER/SENIOR EXECUTIVE ADMINISTRATOR  
**RE:** POLICY UPDATES

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**WSW Training Handbook Rev 12**

This policy required a revision after the most recent ESD monitoring. We were out of date with the requirements of administering the Transitional Job Training service. It was decided, since we do not do this type of training in our area and instead, we administer OJT's or Work Experiences that we would no longer allow this type of training. We stated it as such in this revision along with other minor corrections in language.

Based on the approval process, this policy approval falls under **Tier 2 Executive Committee approval** and Full Board notification.

**Tier 2 – Intermediate**

Definition: Intermediate revisions consist of minor tweaks to language to improve functionality for service providers. The modification could be a change requested by the service provider. These revisions require Executive Board approval and Full Board notification.



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# **Training Policy Handbook – Attachment A**

**March 9, 2016**

**Workforce Southwest Washington  
805 Broadway, Suite 412  
Vancouver, WA 98660  
Tamara Toles  
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(360) 567-1075**



Introduction ..... 4

Definitions ..... 5

References..... 7

Supersedes..... 7

Allowable Trainings ..... 8

1. On-the-Job Training..... 8

1.1. Purpose..... 8

1.2. Procedures..... 8

1.3. Reimbursement Requirements ..... 13

1.4. Forms ..... 13

1.5. Monitoring..... 14

2. Occupational Skills Training..... 15

2.1. Purpose..... 15

2.2. Requirements ..... 15

2.3. Procedures..... 15

3. Individual Training Account..... 15

3.1. Purpose..... 15

3.2. Requirements ..... 16

3.3. Covered Costs ..... 20

3.4. Limitations ..... 21

3.5. Exceptions ..... 22

3.6. Forms ..... 22

4. Short Term Training..... 24

4.1. Purpose..... 24

4.2. Requirements ..... 24

4.3. Procedures..... 24

4.4. Exceptions ..... 25

5. Transitional Jobs ..... 26

5.1. Purpose..... 26

5.2. Procedures..... 26

5.3. Requirements ..... 26

5.4. Forms ..... 26

5.5. Monitoring..... 26

<b>6.</b>	<b>Work Experiences/Internships</b>	<b><u>2727</u></b>
6.1.	Purpose	<u>2727</u>
6.2.	Procedures	<u>2727</u>
6.3.	Requirements	<u>2929</u>
6.4.	Forms/Documentation	<u>3030</u>
6.5.	Data Entry	<u>3134</u>
<b>7.</b>	<b>Entrepreneurial Training</b>	<b><u>3232</u></b>
7.1.	Purpose	<u>3232</u>
7.2.	Requirements	<u>3232</u>
7.3.	Available Training Options	<u>3232</u>
7.4.	Covered Costs	<u>3434</u>
7.5.	Data Entry	<u>3434</u>
<b>8.</b>	<b>Incumbent Worker</b>	<b><u>3535</u></b>
8.1.	Purpose	<u>3535</u>
8.2.	Requirements	<u>3535</u>
8.3.	Procedures	<u>3838</u>
8.4.	Incumbent Worker Training for Layoff Aversion using Rapid Response Funds	<u>3939</u>
8.5.	Data Entry Requirements	<u>4040</u>
8.6.	Reporting Requirements	<u>4040</u>
8.7.	Monitoring	<u>4040</u>
<b>9.</b>	<b>Customized Training</b>	<b><u>4242</u></b>
9.1.	Purpose	<u>4242</u>
9.2.	Requirements	<u>4242</u>
9.3.	Procedures	<u>4444</u>
9.4.	Employers outside of Washington State	<u>4545</u>
9.5.	Monitoring	<u>4545</u>
<b>10.</b>	<b>Post-Secondary Tuition Payments</b>	<b><u>4646</u></b>
10.1.	Purpose	<u>4646</u>
10.2.	Requirements	<u>4646</u>
10.3.	Covered Costs	<u>4747</u>
10.4.	Limitations and Guidelines	<u>4848</u>

## **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 Subrecipients 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. 20 CFR § 680.780
- **Incumbent Worker Training** – 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 laying off incumbent worker(s) that are trained in order to increase the competitiveness of the employee and/or employer.
- **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.
- **Layoff Aversion** – A layoff is averted when: 1) a worker's job is saved with an existing employer that is at risk of downsizing or closing; or 2) a worker at risk of dislocation transitions to a different job with the same employer or a new job with a different employer and experiences no time or a minimal time on unemployment.
- **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.

- **Subrecipient** – 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

## Allowable Trainings

### 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, 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 Subrecipients administering OJTs to adults and older youth regardless of their program enrollment.

#### 1.2. Procedures

##### Structure

OJT Agreements are signed by employers and the Subrecipient. 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 not 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 Subrecipient 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" (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. Post completion of On-the-Job Training it is expected that employees earn at or above 275% of the Federal Poverty Level (~~-\$17.02 per 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 Subrecipient 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 Subrecipient 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.

*NOTE: OJTs and ITAs can be combined as long as the total cost of the OJT does not exceed the maximum funding cap of \$5,000 for that specific occupation. Exceptions require prior approval from the WSW program manager.*

### 1.4. Forms

Subrecipient will develop and implement standard OJT forms using the requirements within this policy, DOL law, and state policy. 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. Subrecipient will develop and implement the following forms:

- 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

### **1.5. Monitoring**

The Subrecipient is responsible for monitoring the OJT during the term of the training. This includes employer check-ins, to ensure satisfaction with the employee and onsite training. In addition, ensuring all required paperwork is completed thoroughly and on time.

## **2. Occupational Skills Training**

### **2.1. Purpose**

Occupational skills training (OST) is an organized program of study that provides specific vocational skills that lead to proficiency in performing actual tasks and technical functions required by certain occupational fields at entry, intermediate, or advanced levels.

### **2.2. Requirements**

OSTs must be:

- Outcome-oriented and focused on an occupational goal specified in the ISS;
- Of sufficient duration to impart the skills needed to meet the occupational goal;
- Designed to lead to the attainment of a recognized postsecondary credential;
- Aligned with in-demand industry sectors or occupations in the local area; and
- Meet the quality standards in WIOA sec. 123.

### **2.3. Procedures**

OST may be used independently to document a training service, or in conjunction with an Individual Training Account which allows for a more comprehensive training that contains multiple training components and associated costs.

For example, if a participant is taking part in a course of study, such as phlebotomy training, which is a pre-requisite to learn skills to enter an occupation, the service may be entered as an OST without ITA. If a participant's ISS occupation goal requires multiple pre-requisites and training such as a CNA, an ITA may be created for the OST service.

## **3. Individual Training Account**

### **3.1. 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 Subrecipients 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.

Note: ITAs are not appropriate for skill-building services that do not rise to the level of occupational skills training, including individualized services such as workforce preparation activities or short-term prevocational services. Individualized services may include literacy, internships, work experiences, and other activities that are intended to prepare individuals for work but do not provide formal occupational skills training and do not lead to a credential. Short-term prevocational training may include the development of learning skills, communication skills, interviewing skills, punctuality, personal maintenance skills, professional conduct, or other non-occupation-specific topics that are intended to prepare individuals for unsubsidized employment or training.

### **3.2. 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 Subrecipient assumes full (program) financial responsibility for the registrant, even when training is provided in another workforce area jurisdiction. The Subrecipient 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 Subrecipient (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 Subrecipient 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 Subrecipient 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 Subrecipient 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, Career Fit, 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.

### CNA Pre-Requisites to Training

Effective August 24, 2021 all participants registering for CNA training through WSW funding must agree to enroll and participate in all of the following courses **before** being accepted for participation in a WorkSource or Next CNA funded program. This means that the process developed must allow for an extended eligibility period of time for participants to complete the preliminary courses.

Preliminary courses include:

- Diabetes Care
- Mental Health
- Dementia Training
- Nurse Delegation
- Medical Terminology
- Conflict Resolution
- ~~Electronic Health Records~~
- Typing with exam of 50wpm

The participant file must document that all courses above were either included in the course curriculum or as separate completed courses. The case notes must document each course completion, and services should be attached to the program enrollment as appropriate. Case managers should be aware of the testing along the way and certificates received to assess if a measurable skill gain was achieved. A measurable skill gain should be documented according to policy.

### 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' 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 any time without prior approval. However, if a subsequent ITA is requested the Subrecipient 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.

### **3.3. 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

Subrecipients 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.

Subrecipients 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 Subrecipient. 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 Subrecipient, 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 Subrecipient 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.

### **3.4. 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: \$17,000**
- **Manufacturing: \$17,000**
- **Technology: \$17,000**

**All other Demand Occupation Training: \$11,000**

**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: \$8,000 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.

### **3.5. 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.

### **3.6. 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.

## 4. Short Term Training

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

### 4.1. Purpose

By law, short-term "pre-vocational services" are individualized career services which include the development of learning skills, communication skills, interviewing skills, punctuality, personal maintenance skills, professional conduct, or other non-occupation-specific topics, to prepare individuals for unsubsidized employment or training. Providers may provide short term training that is necessary for employment. The training must follow all policies, guidance, and coded in ETO according to the Services Catalog.

### 4.2. Requirements

A participant must be eligible to receive 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.

### 4.3. 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 Subrecipient 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.

#### **4.4. 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.



## 5. Transitional Jobs

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

### 5.1. 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.

Transitional jobs are **not an allowable** training expense for those providers in the Southwest Washington Workforce Development Area.

### Procedures

~~Subrecipients must follow the procedures outlined under Work Experience Sec 5.2. Transitional Job is provided as a “training service” and should be expended as such.~~

### Requirements

~~Subrecipients 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:~~

~~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;~~

~~are combined with comprehensive employment and supportive services; and~~

~~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.~~

~~must be provided along with comprehensive career services and supportive services.~~

### Forms

~~Subrecipients must complete the forms outlined under Work Experience Sec 5.4.~~

### Monitoring

~~The Subrecipient is responsible for monitoring the work experience during the term of the training. This includes employer check-ins, to ensure satisfaction with the trainee and onsite training. In addition, ensuring all required paperwork is completed on time and thoroughly.~~

## **6. Work Experiences/Internships**

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

### **6.1. Purpose**

Subrecipients 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 to 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.

### **6.2. Procedures**

#### **6.2.1. Youth**

Youth WEX/Internships are available for participants 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 through the academic component, school credit or permanent employment with the employer. Where possible multiple achievements 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, **no less than 100 hours**, or as referenced in specific grant requirements. When determining the duration of a WEX activity, the following must be considered:

- Objectives of the WEX, as defined by the participant's employment and training goals.
- Length of time necessary for the participant to learn the skills identified in the learning plan.
- The employer has sufficient quantity of meaningful work activities for the participant.
- WEX budget, including employer, WIOA, or other project funds.

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 Subrecipients 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.

Note: Job Shadows as an Unpaid Work Experience does not have specific hour requirements, yet still must meet the items to be considered in determining the duration and activity of a WEX.

Youth providers must track program funds spent on paid and unpaid work experiences, including wages and staff costs for the development and management of work experiences, and report such expenditures as part of the WIOA Title I Youth financial reporting. The percentage of funds spent on work experience is calculated based on the youth funds expended for work experience.

Allowable expenses that count toward the WEX expenditure requirement include:

- Wages paid for participation in a work experience.
- Staff time working to identify and develop a work experience opportunity, including staff time spent working with WEX Host Sites to identify and develop the work experience.
- Staff time working with WEX Host Sites to ensure a successful work experience, including staff time spent managing the work experience.
- Staff time spent evaluating the work experience.
- Intern work experience orientation sessions.

- WEX Host Site work experience orientation sessions.
- Classroom training or the required academic education component directly related to the work experience.
- Supportive services necessary for participation in the work experience.
- Incentive payments directly tied to the completion of work experience.
- Employability skills/job readiness training to prepare Young Adults for a work experience.

Expenses that do not count towards the 20% WEX expenditure requirement include:

- Leveraged resources.

### **6.2.2. 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.

### **6.2.3. 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 Subrecipient check-ins regarding co-enrolled participants. The Subrecipient paying for the WEX/Internship will be responsible for all associated paperwork, WEX/Internship services, data tracking, compliance, and follow up.

### **6.2.4. Monitoring**

The Subrecipient is responsible for monitoring the WEX during the term of the training. This includes employer check-ins, to ensure satisfaction with the trainee and onsite training. In addition, ensuring all required paperwork is completed on time and thoroughly.

### **6.3. 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 Subrecipient 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 Subrecipient 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 Subrecipient 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 Subrecipients**, 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.

#### **6.4. 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. Subrecipient will develop and implement standard WEX forms using the requirements within this policy, DOL law, and state policy. At a minimum Subrecipient will develop the following forms:

**Training Agreement:** An agreement made between the employer and Subrecipient 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.

#### **6.5. 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.

## **7. Entrepreneurial Training**

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

### **7.1. 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 participants. 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.

### **7.2. Requirements**

Entrepreneurial services are available for individuals who, after interview, evaluation or assessment are determined to be unlikely or unable to obtain or retain employment that leads to self-sufficiency or earn 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.

Subrecipients must ensure that the selected training is suitable for the individual participant based on a documented assessment and interview or evaluation with the case manager or mentor to determine entrepreneurship is a good fit. Subrecipient may use job matching tools such as Career Fit. It is important to ensure federal funds are spent on participants that are in need and have the appropriate skills/knowledge to be successful as an entrepreneur. Documentation of completed assessments and/or interview will be stored electronically in the participant file via ETO.

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.

Subrecipients 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 an in demand industry/occupation and training or support must result in the participant earning a self-sufficient wage.

Prior to using entrepreneurial dollars all other resources must be explored and researched.

Subrecipients may work in partnership with such programs as the local Chamber of Commerce, Small Business Association, Self-Employment Assistance Program (SEAP), and community colleges. WIOA funds can be used to supplement these other programs to ensure success.

### **7.3. Available Training Options**

All WIOA Subrecipients 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 with courses already on the Eligible Training Provider 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.

Training considered to be an ITA must be on the state's ETPL. Also allowable are short-term trainings categorized as Individualized Career Services. Both training services to be classified in ETO as "entrepreneurial training".

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

- Refresher training, certifications, or licensing requirements that are identified in business plan. Required training and/or certifications must be documented as required prior to expending the funds;
- 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 will only be paid once, it is an expectation of the participant to pay 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 or initiate a business plan. (See below for definition of business plan.)



Subrecipient should document progress of business plan by receiving copies of the plan or by verifying the plan progress. Document in case notes or upload into ETO.

**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).

#### **7.4. Covered Costs**

WIOA entrepreneurial training dollars can pay for tuition, short-term training courses, supportive services directly related to self-employment, 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. Includes items considered supportive services. Case managers must ensure case notes are thorough to explain the source and line item funding the expense. 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 and must be provided in conjunction with a career or training service. 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). For entrepreneurial supportive services only, these services can be charged to the entrepreneurial training line item, but documented in ETO as a supportive service.

#### **7.5. 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 Subrecipient must obtain documentation of self-employment wages to be used as supplemental data for performance. Documentation should be uploaded to ETO.

## **8. Incumbent Worker**

(To be followed for Adult, Dislocated Worker, State Rapid Response, and all specific Incumbent Worker Training funding sources)

### **8.1. 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.

This training is 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.

### **8.2. 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 layoff 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 certificate or credential, and ultimately should lead to an increase in wages.

#### **8.2.1. Incumbent Workers**

An incumbent worker must be all of the following:

1. Employed – an individual working a minimum of 30 hours a week;
2. Meet the Fair Labor Standards Act requirements for an employer-employee relationship;
3. Have an established employment history with the employer for six (6) months or more; and
4. Residents of Clark, Cowlitz, or Wahkiakum County or if employer is located in service area.

If incumbent worker training is provided to a cohort of employees, not every employee in the cohort must have an established employment history with the employer for six months or more as long as a majority (51 percent or more) of the employees being trained meet the employment history requirement.

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 Subrecipient must set up a screening tool to ensure consideration of the following factors. In addition, the Subrecipient must document determination in file and case notes.

### 8.2.2. 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;
- Must be current in unemployment insurance and workers' compensation taxes, penalties, and/or interest or related payment plan;
- The quality of the training (e.g., industry-recognized credentials, 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

Subrecipients must document the factors that were considered in approving an incumbent worker training project with an employer. Subrecipient must include in the employer agreement that all trainees were hired a minimum of 6 months prior as a requirement and employer agrees to abide by the terms and conditions of the grant, including reporting and employee documentation.

*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

Per WIOA Section 181 (b)(1) and 20 CFR 683.250(a), WIOA Title I funds cannot be spent on the wages of incumbent employees during their participation in IWT. Incumbent worker wages paid by the employer during IWT cannot be included in the cost of training.

Examples:

ABC company has two locations in your workforce development area. Location 1 has 35 employees and Location 2 has 25 employees, with a combined total of 60 employees. ABC company would pay at least 25 percent of the cost of the training, regardless of how many of those employees need IWT. Conversely, if that same company had a total of 35 employees and only one location, the company would pay at least 10 percent of the cost of the training.

ABC company has two locations in your workforce development area. Location 1 has 50 employees and Location 2 has 55 employees for a total of 105 employees. Only employees at Location 2 need IWT. The employer's cost is at least 25 percent of the cost, not 50 percent.

Type(s) of training and number of training providers are also factors to consider. ABC company needs the same IWT for 35 employees in Location 1 and 25 employees in Location 2. You may find that two different training providers are needed, in which case the employer's cost would be at least 10 percent of the cost of each location.

Subrecipients must track and document employer cost share contributions.

### **8.2.3. Training**

Training can be provided through community and technical colleges, vocational-technical centers, state colleges and universities, licensed and certified private entities/institutions, industry specific consulting or training organizations, professional associations, or credentialing entities, or the business itself (through in-house trainers). If in-house training is provided, it must be for training to support new skills that will make the employer more competitive or avert layoffs. Training must be procured using employer or Subrecipient's procurement policy.

1. Employer Secured Training

- a. When in-house training is provided by an employee of the employer, the reimbursement amount is based on the employer share calculation. For example, the employer purchases new machinery, but now must train staff in its use. One employee has been trained to use it, and has the capacity and skill to train others, but calculations indicate it will be costly to devote that employee to the task because they would not be able to perform their own job while training staff. That employee's wages when providing the training would be included in the cost of training, and therefore, part of the cost share calculation.
- b. When the training provider is secured by the employer, Subrecipient procurement is not required. The Subrecipient enters into an agreement with the employer to reimburse for the WIOA federal share cost of the training. The agreement with the employer must document, at a minimum:
  - i. The training being provided;
  - ii. That the cost is reasonable for what is being provided; and
  - iii. The approximate dollar amounts, both paid by the employer and paid by the Subrecipient for the federal share.

### **8.3. Procedures**

#### Approval Process

Employers are approved on a case-by-case basis by the WSW contracted Subrecipient based on the Priority of Business and Statement of Work. Using the criteria listed, the training approval process must be developed by Subrecipient and approved by WSW Program Manager. The Incumbent Worker Training Application will be reviewed and a decision made by Subrecipient Designee using the formal process developed by Subrecipient.

#### Priority of Business Selection

WSW and/or approved Subrecipient 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. If applicable, a written union letter of support for training activities involving union positions.

Subrecipients 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.

#### **8.4. Incumbent Worker Training for Layoff Aversion using Rapid Response Funds**

1. An IWT program conducted with rapid response funds must be tied to a layoff aversion strategy for a threat of layoff. For the definition of Layoff Aversion, see Definitions section above.
2. An IWT as part of layoff aversion must be above and beyond the normal training offered by businesses to their employees. Rapid response resources must not supplant private funds in these situations.
3. As per WIOA Final Rule commentary on 20 CFR 682.320 as it relates to incumbent worker training and TEGL 19-16, Section 18.A, "Layoff aversion strategies and activities are designed to prevent, or minimize the duration of, unemployment resulting from layoffs."
4. Individuals may need assistance to maintain or retain a good job by enhancing their skills or learning new technologies and procedures in an ever-changing economic environment. Without appropriate training that allows existing workers to gain the necessary skills to operate new processes or technologies, employers may find it necessary to lay off workers with obsolete skills.
5. The overall goal of layoff aversion is to save jobs. Layoff aversion is intended to prevent or minimize a potential period of unemployment for employees of companies that have announced layoffs or are struggling and at risk for layoffs. Layoff aversion focuses on saving jobs, putting people back to work, shortening the length of layoff, and revitalizing communities.

##### **A. Employee Criteria**

- a. The worker must be considered for layoff because they do not have marketable, in-demand skills, unless provided with training.
- b. The new skills can be attained in a reasonable period.
- c. There exists a strong possibility of a job, either with the existing employer or a new employer, if new skills are attained.

##### **B. Employer Criteria**

- a. The company remains open but is phasing out a function that will lead to layoffs unless the workers can be retrained to perform new functions.
- b. A worker's job has changing skill requirements because of external economic or market forces, significant changes in technology or operating processes, rapidly changing industry or occupational job requirements, or emergence of new products.

- c. The changing skill requirements are outside of normal skill growth and upkeep that would be provided by the employer.
- d. Training programs reasonably prepare workers to address these skill gaps.
- e. The employer demonstrates a commitment to retain employees or otherwise provide a tangible benefit to employees who receive IWT.

### **C. How to identify “at risk” Employers**

- a. The most common "at risk" indicators include declining sales, supply chain issues, adverse industry or market trends, changes in management philosophy or ownership, and workers lacking in-demand skills.
- b. Establish Early Warning Networks (EWNs); a multi-stakeholder approach to identifying companies at risk early enough to be able to mount an effective layoff aversion strategy. or
- c. Monitoring trends and understanding the early warning indicators can buy time to develop an alternative to job loss. Economic trend monitoring is used to analyze industry trends within a region. The function of trend monitoring is to identify firms at risk of leaving, or closing, prior to actual decisions by companies to shut down or relocate.

### **8.5. Data Entry Requirements**

Incumbent workers being served must be enrolled into either WIOA Adult, WIOA Dislocated Worker, Rapid Response, or other special funding source where incumbent worker training is allowable. Providers must follow the data entry requirements outlined in [TA Memo #34](#).

### **8.6. Reporting Requirements**

Incumbent workers being served through an IWT strategy are not required to meet WIOA Adult or Dislocated Worker eligibility requirements, unless they are co-enrolled as “participants” in one of these programs. Unless they receive more than an IWT service, they are not participants for the purpose of inclusion in WIOA performance indicator calculations for state outcomes. However, states and local areas are still required to report certain data elements on all individuals who receive only incumbent worker training. For specific definitions and instructions refer to Section 12 and Attachment 8 of TEGL 10-16, Change 1.

### **8.7. Monitoring**

It is the responsibility of the Subrecipient to monitor the training provider, employer, and trainees during the training period. Monitoring to include, contract requirements of the training provider are being provided, performance is acceptable. If not meeting requirements, Subrecipient will consider corrective action or appropriate alternative steps for delivering training. In addition, Subrecipient will ensure all required paperwork is completed timely, thoroughly, and appropriately tracked. WSW suggests scheduled check-ins with Employer and Training Provider to ensure training is delivered as

expected. Subrecipient must review the procurement process used to purchase the training provider. The training must be procured by a verified process and justified with a rationale that is reasonable and allowable. This can be documented in the employer agreement as required in 7.2.3 – 1b.



## 9. Customized Training

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

### 9.1. Purpose

WIOA allows for the use of customized training in accordance with the ESD Policy #5616 Revision 1. Subrecipients may competitively procure training contracts to use WIOA Title I 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).

### 9.2. Requirements

A. 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.

B. 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).

### **9.2.1. Eligible Employers**

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

- Must demonstrate that the customized training will increase ability to retain or 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);
- Not have any real, implied, or apparent conflict of interest with the training provider;
- Training provider must be on the State ETPL;
- The quality of the training (e.g., industry-recognized credentials, other credentials or exams validated by industry, trade or professional associations 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:

- 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 or retrain; and
- The wage and benefit levels of participants (before and after training);

Subrecipients 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.

### **9.2.2. 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 Subrecipients must track and document employer cost share contributions.

If multiple employers share the training, the employer share of training costs will be split proportionately between all employers according to number of employees the employer sent. Agreed upon costs must be outlined in the agreement and signed by all parties.

### **9.3. Procedures**

#### Approval Process

Employers are approved on a case-by-case basis by the WSW contracted Subrecipient based on the Priority of Business and Statement of Work. Using the criteria listed, the training approval process must be developed by Subrecipient and approved by WSW Program Manager. The following proposal documents will be reviewed and decision made by Subrecipient Designee using the formal process developed by Subrecipient:

- 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 Subrecipient 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.

Subrecipients must document the priority and ranking that was considered in approving a 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 criteria.

It is the responsibility of the subrecipient to ensure the training provider is in compliance with federal and state laws, policies and procedures and listed on the State's ETPL.

#### **9.4. Employers outside of Washington State**

If an employer outside of Washington State requests customized training through SW Washington WorkSource Centers, subrecipients must coordinate with their out-of-state counterpart with the assistance of the WSW Program Manager. The two states must coordinate on selection of training providers by either using the State's ETPL or use mutually agreed upon criteria to award training contract. In addition, a share of training costs must be established based on number of trainees determined through negotiations and documented in the training contract.

#### **9.5. Monitoring**

It is the responsibility of the Subrecipient to monitor the training provider, employer, and trainees during the training period. Monitoring to include, contract requirements of the training provider are being provided, performance is acceptable. If not meeting requirements, Subrecipient will consider corrective action or appropriate alternative steps for delivering training. In addition, Subrecipient will ensure all required paperwork is completed timely, thoroughly, and appropriately tracked. WSW suggests scheduled check-ins with Employer and Training Provider to ensure training is delivered as expected.

## 10. Post-Secondary Tuition Payments

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

### 10.1. Purpose

WIOA stipulates fourteen different program elements that Local 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.

### 10.2. 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 that lead to a recognized credential/certificate. 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. Subrecipients must receive approval from WSW Youth 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.

### **10.3. 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.

#### **10.4. Limitations and Guidelines**

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

1. Subrecipients 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.