

Workforce Development Council of Seattle-King County

Policy 01-2002

~ Customized Training Policy ~

DRAFT FINAL

Version: R1 7/1/07

Prior Version: Original

Committee: S & E

Category: Internal External

Purpose

The purpose of this policy is to establish the principles and guidelines for using WIA Adult funding to provide customized training as an employer service.

References

Workforce Investment Act [(P.L. 105-220) Title I, Sections 101, 134 & 136, 181, 188]

20 CFR Parts 663.300 through 663.320; 663.700 through 663.710; 663.715 through 663.720, 665.220; 667.272 through 667.275

Social Security Act Title IV Section 403 [42 U.S.C. 603 (1)(5)(c)(1)(VI)]
20 CFR 645.220 (f)(1)-(5)

The Self-Sufficiency Standard for Washington, Diana Pearce, Ph.D.

Policy

Based on availability of funds, customized training of employed workers may be provided for an employer or a group of employers to meet their training needs, and to offer workers the opportunity to progress toward self-sufficiency. Customized training requires the intent of the employer or group of employers to retain or promote an employed worker on successful completion of the training. The employer's contribution must be a dollar-to-dollar match of the WIA amount. The match can be in cash or in kind.

Customized training activities under WIA include, but are not limited to, the following:

- a) Skills upgrade as required to operate new technology, new production or new service procedures;
- b) Skills needed to perform job duties more efficiently or to handle additional responsibilities;

- c) Work based literacy;
- d) Soft skills;
- e) Disability-related job accommodation;
- f) Skills assessment;
- g) Assistance to employers in designing the training plan;
- h) Monitoring participant progress and promoting successful completion of training objectives.

Customized training funds do not allow the following activities:

- a) Directly or indirectly assisting, promoting or deterring union organizing;
- b) Providing services for jobs that depend largely on commissions or that are intermittent or seasonal in nature;
- c) Training during a strike, lockout or other labor disputes;
- d) Working with an employer who has relocated to the area when the relocation resulted in a loss of employment for a large number of employees of the original location;
- e) Involving occupations related to political, electoral, or partisan activities;
- f) Involving occupations related to the construction, operation, or maintenance of any facility used or to be used for sectarian instruction or as a place for religious worship;
- g) Involving employers who exhibited a pattern (two or more times) of failing to provide customized training participants with higher wages once training is complete.

Procedure

Employers who request WIA Adult funding for customized training projects must:

- a) Contribute dollar-to-dollar match of the WIA amount, either cash or in-kind. The employer must pay for at least 50 percent of the cost of training. Examples of program costs that the employer can make in-kind contributions include employees' wage during training, facility and material costs, and administration of training; and
- b) Demonstrate their workers are currently not earning a self-sufficient wage as determined by the Self-Sufficiency Standard for Washington;
AND
- c) Intend to retain or promote the employees who undergo training.

The employed workers who participate in customized training using WIA Adult funding need to be registered into WIA. WIA has no requirement of proof that employed workers to be trained are in need of training services to obtain or retain employment. The employer can self certify that they intend to retain or promote the employees who undergo training. .

Customized training may take place in the workplace or another convenient location, during or after work hours. Since the training is usually arranged by the employer with a specific training provider, there is no customer choice on the part of the individual employed worker other than whether or not to participate in the training.

The WDC requires that the employer choose a training provider from the State of Washington's Eligible Training Provider List if a customer is receiving customized training under an Individual Training Account (ITA). WDC management may make exceptions if the training is funded under general WIA or incumbent worker funding and if a community-based organization (CBO) or other private organization offers a particular expertise in working with a special participant population or delivering a specialized training. WDC's sub-contractors must demonstrate the organization's credentials and submit the exception in writing to the WDC management for approval prior to service delivery.

The WDC requires a written, signed agreement between a WDC sub-contractor representative, an authorized employer representative and an authorized training provider representative prior to delivery of training to ensure that workers are provided a structured training opportunity in which to gain the knowledge and competencies necessary to be successful in the occupation or industry in which they receive training.

I. On-the-Job Training

O-the-Job Training (OJT) is used as a second option when training is necessary for individuals rather than groups. OJT provides individuals a structured training opportunity at the employer's worksite to gain the competencies and experience necessary to be proficient in their occupation. Reimbursement of up to 50 percent of the wage rate may be provided to compensate the employer's costs during occupational training.

WIA-registered customers who are not earning a self-sufficient wage may participate in OJT. OJT is most appropriate for Older Youth and Adult job seekers who lack post-secondary education or previous work experience.

Individuals who request OJT must be registered under WIA when they have met the eligibility requirements for intensive services, have received at least one intensive service, have completed an Individual Service Strategy (ISS), and have been referred to and hired by an employer, but need specific skills in order to become proficient on the job. Their assessment includes, but is not limited to, the following elements:

- a) A full work and education history to evaluate whether the individual possesses applicable or transferable skills;
- b) The rationale for using OJT as the appropriate type of training for the individual;

- c) Justification of the need for OJT, comparing the individual's skill deficiencies and the skills to be acquired through OJT. A WIA customer who has successfully completed training in a college, vocational technical school or trade program is considered to be sufficiently trained to obtain employment in an entry-level position. In some instances, however, the individual may be unable to find employment in their field after the completion of training; in which case, the assessment must justify the need for OJT.

The WDC requires a written, signed agreement including a training plan between an authorized WDC sub-contractor representative and an authorized employer representative prior to the start of work. The contract must identify the occupation, the skills and competencies to be learned, the length of time required for the individual to become proficient in the occupation for which the training is being provided, and the OJT wage.

The employer shall maintain payroll records and make available for auditing to ensure the WIA customer receiving OJT was paid in accordance with contract and for the number of hours for which reimbursement was claimed.

WDC sub-contractors must monitor each OJT contract on the worksite at least once during the OJT period. All monitoring results must be documented and retained by the WDC sub-contractors. Contractors must immediately notify the WDC in writing if monitoring discloses any problems or concerns relating to the OJT contract.

Assurance

The WDC requires a written assurance by the employer that the employer complies with WIA section 667.272 for wage and labor standards, and WIA section 667.274(a) for health and safety standards, and WIA section 667.275 for nondiscrimination and equal opportunity.