
Transitional Jobs Policy

The purpose of this policy is to connect individuals with chronic unemployment or an inconsistent work history with opportunities to build workplace skills and job history. All eligible Adult and Dislocated participants may participate in transitional jobs. Program services contractor staff, PA CareerLink® staff, and LWDB staff are responsible for implementing this policy.

Definition of Key Terms

The term individual with a “**barrier to employment**” means a member of one or more of the following populations [WIOA Section 3 (24)]:

- Displaced homemakers
- Low-income individuals
- Indians, Alaska Natives, and Native Hawaiians
- Individuals with disabilities, including youth who are individuals with disabilities
- Older individuals (i.e. those aged 55 or older)
- Ex-offenders
- Homeless individuals
- Youth who are in or have aged out of the foster care system
- Individuals who are English language learners, individuals who have low levels of literacy, and individuals facing substantial cultural barriers
- Eligible migrant and seasonal farmworkers
- Single parents (including single pregnant women)
- Long-term unemployed individuals
- Recipients of public assistance

Individuals with “**chronic unemployment**” or an “**inconsistent work history**” are those who:

- Have been unemployed for 13 weeks or longer
- Were unemployed at least 26 of the past 52 weeks; or
- Have held three or more jobs in the past 52 weeks and are currently unemployed or underemployed.

Individuals who are “**under-employed**” may include:

- Individuals employed less than full-time who are seeking full-time employment

- Individuals who are employed in a position that is inadequate with respect to their skills and training
- Individuals who are employed who meet the definition of a low-income individual in WIOA Section 3 (36)
- Individuals who are employed, but whose current job earnings are not sufficient compared to their previous job earnings from their previous employment per state and local policy

Host sites are defined as a for-profit or non-profit organization, government organization, or educational institution which provides a transitional job placement. Host sites must provide day-to-day supervision of the transitional job participant while on site.

The term “**Transitional Job**” [WIOA Section 134(d)(5)] means a type of paid work experience that can be offered as an individualized career service under WIOA that:

- Is time-limited and subsidized
- Is in the public, private, or nonprofit sector
- Is provided to individuals with barriers to employment who are chronically unemployed or have an inconsistent work history
- Is combined with comprehensive employment and supportive services
- Is designed to help participants establish a work history, demonstrate success in the workplace, and develop the skills that lead to entry into and retention in unsubsidized employment.

Participant Eligibility

For an individual to qualify for a transitional job under the WIOA guidelines, he/she will:

- Have enrolled with a PA CareerLink® WIOA Adult or Dislocated Worker programs
- Have completed an initial assessment and have been determined to be an individual with a barrier to employment and a history of chronic unemployment or an inconsistent work history.

Assessment tools must be approved for use in the LWDA. Supporting documentation proving eligibility is required; additional information can be found in the LWDB Eligibility Policy.

Employer Eligibility

Employers eligible to participate as a transitional jobs placement site include: private for-profit businesses, private non-profit organizations, and public sector employers. An employer will NOT be eligible to participate as a WIOA transitional jobs placement site if:

- The employer has any other individual on layoff from the same or substantially equivalent position
- The transitional job would infringe upon the promotion of or displacement of any currently employed worker or a reduction in their hours
- The same or a substantially equivalent position is open due to a hiring freeze

General WIOA Transitional Jobs Requirements

- Transitional jobs must be combined with comprehensive career services and supportive services
- Transitional job placements should contribute to the occupational development and upward mobility of the participant
- Per WIOA regulations 20 CFR 683.200(g), “no individual may be placed in an employment activity if a member of that person’s immediate family is directly supervised by or directly supervises that individual.” For the purpose of this policy the term “immediate family” includes a spouse, child, son-in-law, daughter-in-law, parent, mother-in-law, father-in-law, sibling, brother-in-law, sister-in-law, aunt, uncle, niece, nephew, stepparent, stepchild, grandparent, and grandchild.
- The WIOA Title I contractor would be the employer of record, as these are time-limited wage-paid work experiences that are subsidized up to 100% and must be combined with comprehensive career and supportive services.

WIOA Transitional Job Length

Transitional jobs must be time limited (no more than 6 months and preferably 8 to 12 weeks) and require at least fifteen (15) but not more than forty (40) hours of work per week.

WIOA Transitional Job Funding Levels

All transitional job placements must pay at least the minimum wage (\$7.25/hour at the effective date of this policy). Transitional job funds may be used to pay up to \$12.00/hour of wages earned by a participant.

No more than 10% of WIOA funding may be used for transitional jobs.

Transitional Job Provider Requirements

With assistance from PA CareerLink® staff, participating employers must guarantee that:

- Employees who have financial responsibilities related to the receipt and disbursement of funding under the Agreement must be covered by fidelity bonding
- The training to be provided will be in accordance with WIOA 181(a)(1)(A) and 20 CFR Part 683.275 for wage and labor standards. Worker protection requirements are set forth in WIOA Sections 181(a)(1)(A) and (B); Section 181(b)(2), (3), (4), and (5); and WIOA Section 188.
- The host site and provider agree to cooperate with monitoring efforts as required by WIOA legislation and adhere to all other applicable local, state and federal rules and regulations
- Funds are not used to directly or indirectly assist, promote, or deter union organizing
- The employer agrees to respond to workforce system staff requests for wage and retention information of participants
- There is no expectation that the employer providing the transitional job placement will hire the participant permanently

- If the participating employer(s) has recently relocated resulting in the loss of employment of any employee of such business at the original location in the U.S., transitional job placements will not be granted to the employer(s) until after 120 days have passed since the relocation

Notice: During disaster recovery or similar emergency declarations, portions of this policy may be waived through the disaster/emergency period based on federal and state guidance. Documentation of such action will be included in the participant file.

REFERENCES

WIOA Section 134(d)(5)

20 CFR 680.190

20 CFR 680.195

20 CFR 680.530

20 CFR 680.840

HISTORY

Name	Date	Rev. Level	Description of Change	Effective Date
Deb O'Neil	03/13/2017	A	New policy per state	08/11/2017
Deb O'Neil	08/06/2021	B	Update wage per hour maximum for participants	09/10/2021