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## WIOA Customized Job Training Policy

The purpose of this policy is to provide funding guidance for WIOA Customized Job Training (CJT) funding under the Workforce Innovation and Opportunity Act (WIOA) issued through the Northwest Pennsylvania Workforce Development Area (NW170).

The term **Customized Job Training** means training by an employer, or group of employers, or by a training provider in conjunction with an employer(s). The training must be provided to five or more paid participants concurrently while engaged in productive work in a job that:

- (a) Provides knowledge or skills essential to the full and adequate performance of the occupation;
- (b) Provides reimbursement to the employer for the costs of providing the training and additional supervision related to the training; and
- (c) Is limited in duration as appropriate to the occupation for which the participant is being trained.

An “Incumbent Worker” is defined as an individual who has a consecutive employment history with the employer for 6 months or more.

### Eligibility Requirements

#### Participant Eligibility

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

- Have enrolled with the local workforce development area WIOA Adult or Dislocated Worker programs
- Have completed an initial assessment or evaluation and have been determined to need training to find employment
- Earn no more than \$25.00 per hour
- Have an Individual Employment Plan (IEP) that documents the participant’s interests, abilities, and needs

#### Employer Eligibility

Eligible employers able to participate in CJT contracting include: private-for-profit businesses, private non-profit organizations, and public sector employers. An employer will NOT be eligible to receive WIOA CJT training reimbursements if:

- The employer has any other individual on layoff from the same or substantially equivalent position.

- The CJT 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.
- The positions are for seasonal employment.
- The position is not full-time (i.e. minimum of 32 hours per week).

### Occupational Eligibility

CJT funds must be used on High Priority Occupations (HPOs) which lead to employment opportunities enabling the participant to become economically self-sufficient and which will contribute to the occupational development and upward mobility of the participant.

**Note: Training conducted under Registered Apprenticeships does not require the occupation to be on the High Priority Occupation or the PA In Demand Occupation List.**

### **General WIOA Customized Job Training Requirements.**

- WIOA CJT contracts shall not be made with employers who have previously exhibited a pattern of failing to provide CJT participants with continued long-term employment with wages, benefits and working conditions that are equal to those provided to regular employees who have worked a similar length of time and are doing the same type of work.
- When funds are available, priority in WIOA CJT contracts will be given for new hires with an employer. When funds are available, WIOA CJT contracts may be written for eligible employed or unemployed workers when:
  - The employee is not earning at least \$25.00 per hour. Priority in funding will be given to those individuals not earning a self-sufficient wage as determined by the NWPA Job Connect's Self Sufficiency Policy.
  - The CJT relates to the introduction of new technologies, introduction to new production and services procedures, upgrading to new jobs that require additional skills, workplace literacy, or other appropriate purposes identified by the NWPA Job Connect.
  - The participants have been determined to be eligible to participate in and who are receiving services (except for follow-up services) under a program authorized by WIOA.
- It is expected that employers who use CJT funding will hire the individuals receiving the training as full-time employees, provide benefits and working conditions at the same level and to the same extent as other employees working a similar length of time, and doing the same type of work for at least six months following the training.
- CJT contracts will generally not be written for low skill jobs that generally would require little or no training.
- CJTs should only be awarded to companies in alignment with the sector strategies of the NWPA Job Connect.

- CJTs differ from an OJT (On-the-Job Training contract) based on volume (an employer or group of employers requiring more than five of the same/similar positions filled) and complexity (CJT trains each participant for the same skill set rather than individualized job skills).
- 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, step-parent, step-child, grandparent, and grandchild.
- The entity providing the training, whether the employer or a contracted training provider, must apply to be considered by the NWPA Job Connect.

**WIOA Customized Job Training Length**

The maximum time frame for a CJT is 6 months. Duration of a CJT is a function of training needed, NOT the maximum funding allowed under this policy. WIOA Title I program services staff should consult with the employer and use the Occupational Information Network’s (ONET) Specific Vocational Preparation Range (SVP) to determine the appropriate occupational training needed. Using the SVP provided by ONET, the following duration times are recommended in addition to the participant’s past skill and experience.

<b>LEVEL</b>	<b>TIMEFRAME</b>
Level 1	<1 month
Level 2	1 month
Level 3	>1 month – 3 months
Level 4	>3 months – 6 months
Level 5	>6 months
Level 6	>6 months
Level 7	>6 months
Level 8	>6 months
Level 9	>6 months

At the time of completion of the CJT program, individuals must be employed in occupations that meet the following criteria:

- Hourly wage must be at the self-sufficient wage or the employee’s starting wage, if starting wage was higher than the self-sufficient wage.
- Occupation must be listed as a High Priority Occupation on the local HPO list.
- The occupations must be a full-time permanent position following the training (minimum of 32 hours per week).

**WIOA Customized Job Training Funding Levels**

Employers participating in Customized Job Training must pay a significant cost of the CJT training. This payment can be in cash or in-kind services. CJT funding cannot be used for the wages of incumbent workers while they participate in training, but may be used to fund the cost of administering the training, including the wages of the trainer. The wages of unemployed individuals hired as a result of CJT funding availability are eligible to be reimbursed through CJT funding.

Companies will be reimbursed up to \$5,000 per individual under the CJT contract for training costs utilizing a percentage of the total cost of the training and based on company size. This will assist in making CJTs available to more companies and more cost effective. The NWPA Job Connect will consider exceptions to the cap on training funds and the reimbursement schedule below. Changes to the reimbursement schedule will be considered for trainings in which the recipient receives an industry recognized credential, for employers utilizing CJT services for the first time, or for groups of three or more employers offering the same training to their respective employees.

The level of reimbursement to the employer is determined by the employer size:

50 or fewer employees	= 80% of the cost of training for the employer, up to \$5,000 per individual
51-100 employees	= 60% of the cost of training for the employer, up to \$5,000 per individual
101 or more employees	= 40% of the cost of training for the employer, up to \$5,000 per individual

Employer Requirements

With assistance from WIOA Title I program services contractor staff, participating employers must guarantee that:

- All participants shall be provided benefits and working conditions at the same level and to the same extent as other employees working a similar length of time and doing the same type of work. This will include unemployment compensation coverage where the employer is normally required to provide such coverage to its employees.
- The position provides the participant benefits per company policy (i.e. insurance, paid leave, profit sharing) other than those required by law.
- Employees who have financial responsibilities related to the receipt and disbursement of funding under the Agreement shall be covered by fidelity bonding.
- The training to be provided will be in accordance with WIOA 181(a)(1)(A) and 20 CFR 683.275 for wage and labor standards. Worker protection requirements are set forth in WIOA Sections 181(a)(1)(A) and (B), (b) (2), (3), (4), and (5) and 188.
- The employer agrees to cooperate with monitoring efforts as required by WIOA legislation and adhere to all other applicable local, state, and federal requirements.

- Funds are not used to directly or indirectly assist, promote, or deter union organizing.
- The employer agrees to respond to staff requests for wage and retention information of participants.
- The employer commits to retain the trained employees for a period of a minimum of six months following the completion of training. Failure to do so may result in the employer being ineligible to receive further NWPA Job Connect training funds for a period of one year.

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., customized job training contracts may not be granted to the employer until after 120 days have passed since the relocation.

**The factors that were considered in approving a customized job training project with an employer must be justified and documented.**

#### Funding Exceptions

The NWPA Job Connect is aware that extenuating circumstances may require additional funding beyond the cap outlined in the policy and will consider exceptions based on employer input. Written requests for an exception should be submitted to the NWPA Job Connect.

### **REFERENCE**

WIOA Section 134(c)(3)(h)

20 CFR 680.760

20 CFR 680.770

### **HISTORY**

Name	Date	Rev. Level	Description of change	Effective Date
Deb O'Neil	04/11/2017	A	New separate policy from OJT	08/11/2017
Deb O'Neil	09/27/2021	B	Add language to clarify training for RA does not require HPO or PA IDOL	11/12/2021
Susan Richmond	07/20/2023	C	Update to wage amount; clarified relocation status	09/08/2023