

NWPA Job Connect WIOA Training Policy Book

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Background:

The NWPA Job Connect Training Policy serves as the framework that establishes the lawful foundation for federally and Commonwealth-funded training activities. It outlines approved training types, services, and activities.

This policy guidebook explains the different training models allowable under the Workforce Innovation and Opportunity Act (WIOA). Each training model has its own section. References to WIOA, TEGLS (Training and Employment Guidance Letters), and State Policy will be consolidated in the reference section.

Audience:

- Title I Provider
- TANF Youth Program Provider
- NWPA Job Connect Board Staff

Individual Training Accounts (ITAs)

Definition: An ITA is a funding mechanism through which eligible individuals can access quality trainings that appear on the Eligible Training Provider List (ETPL) to help obtain employment in High Priority Occupations (HPO). Training services must be provided in a manner that maximizes informed consumer choice in selecting an eligible provider.

Funding:

ITA funding is not guaranteed to any participant and is contingent on funding availability.

NWPA Job Connect has established an ITA funding cap of \$5,500 per participant. This amount is not guaranteed; it represents the maximum that may be awarded on the actual cost of the training program. ITA funds may be used on tuition, fees, required books, and required educational items.

This policy excludes funding for guns, clubs, nightsticks, or mace.

When discretionary grant funding is available in the local workforce development area, the standard maximum ITA training cap may be increased.

For individuals who reside outside of the NWPA Workforce Development area, ITA funding will be limited to the lesser of their local workforce development area ITA funding cap or \$5,500.00.

Requirements:

ITAs will be issued to state-approved training programs on the ETPL and connected to the approved HPO list for local and other workforce areas across the Commonwealth.

Participants may choose a program from a different workforce area if the commute is reasonable, or if they are looking to relocate for employment. Preference should be given to local occupations on the HPO list and programs submitted by the local workforce development area training providers.

Registered Apprenticeships listed on the ETPL qualify for ITA funding. There is no requirement for the occupation to be on the HPO or the PA In Demand Occupation List (IDOL).

Participant & Title I Responsibilities:

1. Complete WIOA enrollment to verify eligibility to receive WIOA funding.
2. Develop an Individual Employment Plan (IEP) or an Individual Service Strategy (ISS) that includes training information with Title I staff. This must be completed prior to ITA funding being issued.
3. Participant must complete an assessment. The local area's preferred assessment is the CASAS (Comprehensive Adult Students Assessment Systems). This is to ensure the participant has the basic Math and Reading skills necessary to successfully complete the selected training program.
 - This assessment may be waived at the discretion of the Title I program services provider if proficiency is demonstrated and documented in case

- notes in CWDS.
 - There is no grade level minimum for the CASAS assessment. Title I staff must review the training provider's educational requirements and review the participant's experience, work history, educational status, skills, abilities, and knowledge.
4. The participant must meet the training providers requirements for the selected program/course of study. Documentation that requirements have been met must be provided to Title I staff prior to the ITA approval.
 5. Participant must complete financial aid forms if the program qualifies. Pell, PHEAA, related grants, and/or scholarships must be used before any WIOA funding is issued. Training providers must provide financial aid documentation to Title I staff..
 6. Complete a training selection form prior to ITA funding being issued. The training selection form verifies informed customer choice. Case notes documenting the training providers discussed must be noted in CWDS.
 7. Complete a PHEAA Informational Request Document for Title I staff to verify there is no default of student loans. ITA's will not be issued to any participant in default of a student loan. Once the default status is removed, an ITA may be approved.
 8. Maintain worksheets to document participant income and expenses. This must be reviewed with each semester/term funding request. Changes to participant income must be documented in CWDS and the participant file.
 9. Participants must maintain at least a 2.0 cumulative GPA (on a 4.0 scale) or meet the training provider's minimum GPA requirement if it is higher and comply with all academic standards set by the training provider. If a participant is placed on academic probation, ITA funding will be suspended until probationary status is resolved. During probation, the training service in CWDS will be placed on hold.
 10. All documents must be kept in either the participant case file or in CWDS.

Other ITA Information:

- An eligible individual may receive more than one ITA if the training is part of a career pathway in the same industry (i.e. Certified Nursing Assistant to Licensed Practical Nurse career pathway in the healthcare sector).
 - Individuals must show proof of successful completion of all prior ITA-funded training.
 - Receipt of more than one ITA requires NWPA Job Connect approval.
 - All other requirements of this policy apply to the additional ITAs awarded to an individual. The cap remains at \$5,500 per participant.
- It is preferable for the participant to have a high school diploma or equivalent prior to ITA approval. When justified and properly documented, participants may pursue their high school equivalency concurrently with training through an ITA.
- ITAs are limited to two years. Longer ITAs will be evaluated on a case-by-case basis. ITAs will not be modified for more than 150% of the advertised length of the program.

Payment: Upon approval of the ITA, the signed training cost breakdown along with the Letter of Commitment will be sent to the training provider confirming the participant's course/program choice and funding approval.

Funding will be spread across the entire length of the program by semester/term or other standard billing time frame. Training providers may submit invoices on the first day following the add/drop period.

Note: there is no obligation to approve funding for participants who start training prior to ITA approval and signing the training cost breakdown.

****Exceptions to payment terms must be discussed with NWP Job Connect prior to issuing payments.**

Required pre-employment clearances and testing may be funded through supportive services. (See NWP Job Connect Supportive Services Policy for more information).

Refunds:

If a participant does not complete training, any refunds will be processed according to the training provider's standard refund policy. The refunded amount will be applied to the program funds from which the original payment was made. Documentation explaining the reason for withdrawal or termination, as well as refund details, must be maintained in the participant's file and/or CWDS.

When additional federal, state, or local financial aid is awarded after ITA Funds have been disbursed, the training provider must reimburse the corresponding portion of WIOA funds used to cover training costs. The training provider must return WIOA program funds prior to issuing any other refunds.

Additional financial information:

- The fiscal agent will not duplicate or pay in addition to any funding awarded from another local workforce development area or grants.
- ITAs will not be issued for programs in which the expected grants/aid exceed the anticipated semester/term/costs as determined by the participant, training provider, and PA CareerLink® staff.
- ITA funds will not be used to pay for repeat courses.
- ITA funds cannot pay for any prohibited or illegal activities as determined by the Federal government.

Other guidelines may be added by the NWP Job Connect that may be necessitated by federal and/or state regulation, regional oversight, or local recommendation.

Work-Based Learning

Definitions:

On-the-Job Training (OJT)- is a structured training opportunity for the OJT employee to gain knowledge and skills to be competent in the job for which they were hired. The structured training opportunity:

- Provides knowledge or skills essential to the full and adequate performance of the occupation.
- Provides reimbursements to employers for the costs associated with providing training and additional supervision related to the training; and
- Limited in duration as appropriate to the occupation for which the participant is being trained.

Incumbent Worker Training (IWT) means training by an employer or training provider in close partnership with an employer that is provided to a paid participant while engaged in productive work in a job that:

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

Customized Job Training (CJT) 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:

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

Transitional Job (TJ)-a type of paid work experience that is:

- Time limited and subsidized
- Public, private, or nonprofit sector
- Provided to individuals with barriers to employment who are chronically unemployed or have an inconsistent work history
- Combined with comprehensive employment and supportive services

Work Experience- Work experiences are a planned, structured learning experience that takes place in a workplace for a limited period of time. Work experience may be paid or unpaid, as appropriate. Work experience may take place in the private for-profit sector, the non-profit sector, or the public sector. Labor standards apply in any work experience where an

employee/employer relationship, as defined by the Fair Labor Standards Act or applicable State law, exists

General Requirements for OJT, IWT, CJT, TJ, and WEX

Employer Eligibility, Requirements, and Assurances:

Employer Eligibility:

- Private-for-profit business
- Private non-profit organization
- Public sector employee

Employer Restrictions:

An employer will not be eligible to participate if any of the following conditions are present:

- An individual is laid off from the same or substantially equivalent position.
- The training would infringe upon the promotion of or displacement of any currently employed worker or reduce their hours.
- The same or substantially equivalent position is open due to a hiring freeze.
- The positions are for seasonal employment.
- The employer is a private for-profit employment agency.
- The position is not full-time (minimum of 32 hours per week) (Not applicable to WEX or Transitional Job).
- The employer has exhibited a pattern of failing to provide participants with continued long-term employment with wages, benefits, and working conditions equal to those provided to regular employees who have worked a similar length of time and are doing the same type of work. (Not applicable to WEX or TJ).
- Contracts will not be written for low-skill jobs that require little to no training.

Commented [SR1]: This is not specified in WIOA regulations. We should make this the norm.

Commented [SR2R1]: This is a local requirement.

Employer Assurances:

- All participants are 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 includes UC coverage where the employer is normally required to provide such coverage to its employees.
- The position provides 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 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 rules and regulations.
- Funds are not used to directly or indirectly assist, promote, or deter union organizing.

- The employer agrees to respond to requests for wage and retention information of participants from NWPA Job Connect and/or the Title I provider.
- If a business or part of a business has relocated from any location in the United States and the relocation has resulted in any employee losing their job at the original location, contracts may not be granted until the company has operated at the new location for 120 days.

General Program Requirements:

- 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 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.
- WIOA funds cannot be used with entities who are debarred, suspended, or otherwise excluded from or ineligible for participant in federal programs or activities.
- Participants may not engage in partisan or nonpartisan political activities during hours paid with WIOA funds (WIOA Section 195 (6)).
- WIOA funds cannot be used for the construction or maintenance of facilities primarily for religious purposes, except for maintenance of facilities that are not primarily used for instruction or worship and are operated by organizations providing services to WIOA participants (WIOA Section 188(a)(3)).
- Other guidelines may be added by the NWPA Job Connect that may be necessitated by federal and/or state regulation, regional oversight, or local recommendation.

The maximum time frame for an OJT, IWT, or CJT is six (6) months. Duration is a function of training needed, NOT the maximum 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 level, prior work experience, and the participant’s individual employment plan or individual service strategy.

LEVEL	TIMEFRAME
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
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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 must be submitted to NWPA Job Connect.

There may also be exceptions to the full-time employment local requirement. Written exceptions must be submitted to NWPA Job Connect.

Commented [SR3]: Added this. What if a person has a disability, child care/elderly care situations that won't allow for full-time employment?

On-the-Job Training (OJT):

OJTs serve the purpose of encouraging employers to hire or upgrade an eligible individual to provide training. Employers receive a partial wage reimbursement in exchange for occupational training and related supervision.

General OJT Requirements.

- OJT employees must meet program eligibility requirements for WIOA Adult, Dislocated Worker, or Youth programs.
- WIOA OJT contracts will be initiated by the WIOA Title I program services provider and the employer. The WIOA Title I program services provider will sign contracts that have met all policy requirements. The WIOA Title I program services provider must ensure compliance with the procedures.
- OJT training opportunities must align with either the PA IDOL (In-Demand Occupation List) or the HPO List (High Priority Occupations).
 - **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.
- At the completion of the OJT program, individuals must be employed in occupations that meet the following criteria:
 - 1) Hourly wage must be at the self-sufficiency wage
 - 2) Occupation must be listed as in demand on the PA (IDOL)
 - 3) The occupation must be a full-time position following the training (minimum of 32 hours per week)
- Employer commits to retaining the trained employee for six (6) months following the completion of training. Failure to do so may result in being deemed ineligible to receive OJT funding for one (1) year,

OJTs for Eligible Employed Workers

OJT Contracts may be written for WIOA eligible employed workers when:

- The employee is not earning a self-sufficient wage or wages comparable to or higher than wages from previous employment, as determined by the Local WDB policy.
- Requirements for on-the-job training are met (see 20 CFR § 680.700); and
- The OJT relates to the introduction of new technologies, introduction to new production or service procedures, upgrading to new jobs that require additional skills, workplace literacy, or other appropriate purposes identified by the Local WDB.
- Locally, the person will be considered for an OJT within the first three (3) months of employment.
- Eligible employed workers must be WIOA enrolled and deemed eligible to receive WIOA funds.

WIOA OJT Funding Levels

Reimbursement rates to employers are up to 50% of the wage rate of an OJT participant (no premium rates such as overtime rates), and up to 75% if the following criteria is met (20 CFR 680.730):

- 1) The characteristics of the participants taking into consideration whether they are “individuals with barriers to employment,” as defined in WIOA Section 3(24).
- 2) The size of the employer, with an emphasis on small businesses; and
- 3) The quality of employer-provided training and advancement opportunities (i.e., if the OJT contract is for an in-demand occupation and will lead to an industry-recognized credential.

Sliding scale for employers meeting the above eligibility criteria:

# of Employees	% OJT Reimbursement to Employer
50 or fewer	75% of self-sufficiency wage
51-100	60% of self-sufficiency wage
101+	50% of self-sufficiency wage

Note: NWPA Job Connect has determined self-sufficiency to be at or above 235% of the Federal Poverty Income Level Guidelines.

The minimum amount of hourly compensation allowable by a WIOA OJT is \$9.75 per hour. However, Title I staff may submit a written request for a waiver if the wage is below \$9.75 per hour but at least \$7.25 per hour (minimum wage). The OJT occupation must allow for a career pathway from an entry level position to an occupation with a self-sustaining wage.

The hourly wage to be reimbursed under this policy must not exceed the average hourly wage for the local workforce development area as determined by the Center for Workforce Information and Analysis (CWIA).

Employers may elect to pay participants more than the local area’s average hourly wage; however, the employer may not receive training reimbursement above the local area average hourly wage cap.

Incumbent Worker Training:

This is an employer-driven strategy that helps prevent layoffs by upskilling current workers to retain or advance their positions. Its purpose is to strengthen the existing workforce as businesses adapt to evolving technologies, updated processes, and changing industry demands.

A maximum of 20% of the overall WIOA adult and dislocated worker funds allocated to the local area may be reserved and spent on incumbent worker training.

Eligibility Requirements

Participant Eligibility

Note: Per 20 CFR 680.780, an incumbent worker does not necessarily have to meet the eligibility requirements for WIOA career and training services for the Adult or Dislocated Worker Program, unless they are also enrolled as a participant in the WIOA Adult or Dislocated Worker program.

To qualify for IWT under WIOA guidelines, the individual will:

- Be employed;
- Have an established employment history with the employer for six (6) months or more; and
- Meet the Fair Labor Standards Act requirements for an employer-employee relationship; and
- ~~Earn no more than \$25.00 per hour.~~
~~Exceptions to the maximum per hour amount will need to be approved by NWP Job Connect.~~

Commented [SR4]: Executive Committee recommended to remove this item, because there is a payment structure in place (WIOA law) and IWT pays for training not wages.

WIOA Incumbent Worker Funding Levels

Employers participating in Incumbent Worker Training are required to pay the non-federal share (or employer share) of the cost of providing training to their incumbent workers per the sliding scale outlined below. A maximum of \$1,000 per trained worker is permitted under this policy. The NWP Job Connect will consider exceptions to the cap on training funds and the reimbursement schedule below. The employer share may be provided in cash or in kind and may include the wages paid by the employer to a worker while the worker is attending the incumbent worker training program.

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

# of Employees	% Cost of Training	Maximum Amount per IWT Participant	WIOA requirement for employer portion
50 or fewer	80%	\$1,000	At least 10%
51-100	60%	\$1,000	At least 25%
101+	40%	\$1,000	At least 50%

Note: Exceptions to the maximum amount per IWT participant must be determined by NWP Job Connect.

Employer size is determined by the number of employees at the time of the execution of the Incumbent Worker Training contract.

- Changes to the reimbursement schedule will be considered by the NWP Job Connect for trainings in which the recipient receives an industry recognized credential, for

employers utilizing IWT services for the first time, or for employers providing IWT in partnership with three or more additional employers.

- **WIOA incumbent worker funds may not be used to pay for the wages of workers being trained.**
- Funds provided under this program may be used for the following:
 - Training materials and supplies
 - Training tuition or registration
 - Instructor/trainer wages (if not included in tuition)
 - Materials and supplies
 - Certification/Testing
 - Off-site training space (e.g., classroom rental, etc).

The following factors must be considered when determining the eligibility of employers to receive WIOA incumbent worker funds:

- 1) The strategy of the NWPA Job Connect in fulfilling the vision and goals established for the local area (i.e., the local plan).
- 2) The characteristics of the incumbent workers to be trained (i.e., the extent to which these individuals historically represent individuals with barriers to employment as defined in WIOA Section 3(24), and how such individuals would benefit from a skills gain that results in retention or advancement.
- 3) The quality of the training (i.e., industry-recognized credentials, advancement opportunities, etc.).
- 4) The number of participants the employer plans to train or retrain.
- 5) The wage and benefit levels of participants (before and after training).
- 6) The occupation(s) for which incumbent worker training is being provided must be in-demand as defined by WIOA Section 3(23) and as determined by workforce development area-specific labor market information produced by CWIA.

Per WIOA Section 3(23): The term “in-demand industry sector or occupation” means:

- (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 under this paragraph 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.

- 7) Employer's industry status- is the employer in:
- An in-demand industry as defined by WIOA Section 3(23) and determined by CWIA labor market information; or
 - A stable industry as determined by CWIA labor market information; or
 - A declining industry, but there are compelling reasons (e.g., evidence of long-term viability of the employer) justifying investment in incumbent worker training
- 8) Recent lay-offs and relocations. If the participating employer has recently relocated, resulting in the loss of employment of any employee of such business at the original location in the U.S., incumbent worker training contracts may not be granted to the employer until 120 days has passed since the relocation.
- 9) Employer's unemployment insurance and workers' compensation taxes, penalties, and/or interest or related payment plan

The factors that were considered in approving an incumbent worker training project with an employer must be justified and documented.

~~At the time of completion, the individual must be employed in occupations that meet the following criteria:~~

- ~~• Hourly wage must be at or above the self-sufficiency wage or the employee's starting wage, if starting wage was higher than the self-sufficiency wage.~~
- ~~• The occupation must be a full-time (minimum 32 hours per week) permanent position following the training.~~

Commented [SR5]: This is not required under WIOA.

Commented [SR6R5]: Both Governance and Executive Committee agree to removing this language, which was pulled from Workforce Solutions (North Central WDB) policy as it is restrictive to employers.

Customized Job Training (CJT):

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

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).

- The entity providing the training, whether the employer or a contracted training provider, must apply to be considered by the NWP Job Connect.

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 because 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 be more cost effective. The NWP 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:

# of Employees	% Cost of Training	Maximum Amount per ICJT Participant
50 or fewer	80%	\$5,000
51-100	60%	\$5,000
101+	40%	\$5,000

Transitional Job (TJ)

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.

Definitions:

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 farm workers
- 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.

Participant Eligibility:

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

- Be enrolled in the WIOA Adult or Dislocated Worker program
- Complete an initial assessment to determine the 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 job placements should contribute to the occupational development and upward mobility of the participant
- 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. (Exceptions to the hours per week require a waiver from NWPA Job Connect).

Commented [SR7]: Both Executive and Governance agree to this exception waiver.

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 \$15.00/hour of wages earned by a participant.

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

Note: 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.

Transitional Job Provider Requirements:

- 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

Work Experience (WEX) for WIOA Youth/TANF Youth

Work experiences must include academic and occupational education. The educational component may occur concurrently or sequentially with work experience. Further academic and occupational education may occur inside or outside the work site.

The types of work experiences include the following categories:

- (1) Summer employment opportunities and other employment opportunities available throughout the school year;
- (2) Pre-apprenticeship programs;
- (3) Internships and job shadowing; and
- (4) On-the-job training (OJT) opportunities as defined in WIOA sec. 3(44) and in §680.700

Participant Eligibility:

WEX participants must meet program eligibility requirements and be enrolled into the WIOA/TANF Youth program and

- Participant must have received an assessment.
- Participant must have a signed Individual Service Strategy (ISS) or Individual Employment Plan (IEP). The WEX must be listed and must match the participant's long-term employment goal.
- Participants must be eligible to work in the U.S. and provide appropriate documentation prior to starting a WEX.
- Participants must be actively engaged in their assigned activities and have a demonstrated history of maintaining contact with program staff.

Host Site Eligibility:

- May be public, private non-profit, or private for-profit entities
- The following criteria must be met prior to a participant starting training:
 - Title I Provider will approve the WEX host site prior to placement.
 - WEX host sites should maintain an employer record in the Commonwealth Workforce Development System (CWDS).
 - WEX host sites must not have unresolved or uncorrected health and safety violations.
 - WEX host sites must display and make accessible all required Equal Opportunity, Civil Rights, Complaint Procedures, Child Labor Law, Worker's Compensation notices, and any other required federal, state, or local documents.

- Sites hosting youth under 18 must ensure supervisors have current Child Abuse clearances, FBI Background Checks, and state background checks. Copies must be kept on file and be made available upon request.
- All Employers/WEX host sites must be aware of and follow the Child Labor Provisions of the Fair Labor Standards Act and the Commonwealth of PA Child Labor Act (Reference: <https://www.dol.gov/agencies/whd/fact-sheets/43-child-labor-non-agriculture>; <https://www.pa.gov/agencies/dli/resources/compliance-laws-and-regulations/labor-management-relations/child-labor-act>).
- Employers must be ADA compliant and adhere to all equal opportunity and non-discrimination requirements and guidance by the federal, state, and local areas.
- The WEX host site must have sufficient meaningful work to keep the participant engaged and learning.
- The WEX host site must provide adequate supervision and structured learning opportunities throughout the experience.
- Employers are not expected to hire participants permanently. Consideration for unsubsidized employment opportunities should be encouraged when appropriate.
- The WEX host site must develop WEX opportunities that promote career explorations, skill development, and work readiness. Participants should gain exposure to workplace expectations and acquire the personal attribute, knowledge, and skills needed to obtain and advance in employment. All WEX should reflect realistic working conditions.
- WEX must be aligned with the participant's identified needs as determined through the objective assessment and should support the participant's individual career or employment goal when feasible.
- The duration of the WEX must be based on information gathered through assessments and documented in the ISS. The length of the WEX must be limited to the hours necessary for meaningful career exploration, development of appropriate work habits, and achievement of the stated goals.
- Participants may engage in multiple WEX opportunities to support career exploration. These experiences may be shorter in duration and tailored to meet the participant's needs and goals.
- WEX may not be used as a stand-alone service. Participants must receive career counseling related to their career interests before, during, and after the WEX.
- Participants engaged in WEX must receive financial literacy services.
- WEX agreements must be executed by both the Title I provider and the WEX host site.
- Training plans must be developed and signed by the Title I provider/TANF Youth Program Provider, the WEX host site, the WEX participant, and for participants under 18, a parent or guardian must also sign the training plan.
- WEX agreements and training plans must be fully executed prior to the start of any WEX placement.

WIOA Program Staff Responsibilities

- Provide clear expectations to both the participant and the WEX host site to ensure that a meaningful, well-planned WEX is implemented.
- Monitor participant progress and address challenges promptly to support a successful experience.
- Visit the WEX participant or WEX host site at least once per month.
- Ensure accurate completion of all required documentation and timely data entry into the system of record.
- Serve as the primary point of contact for questions from the WEX host site, participant, and parent/guardian when applicable.
- Maintain accurate records of hours worked, wages, incentives, and support services, as applicable.
- Collect feedback from both WEX host sites and participants to support continuous improvement of WEX activities.

WEX Wages:

- Participants engaged in paid WEX activities must be compensated at no less than \$ per hour.
- Youth participating in a WIOA funded OJT must be reimbursed at a minimum of \$15.00 per hour.
- Any exceptions to the wages must be discussed with NWPA Job Connect prior to placement.

Unpaid WEX:

The provider may offer unpaid WEX opportunities limited to job shadowing and governed by the following conditions:

- The WEX consists solely of the participant observing others performing work; the participant may not engage in manual or physical work.
- The participant must be the primary beneficiary of the experience. The WEX host site must not derive an immediate or significant advantage from the participant's presence and may experience some operational burden.
- The experience must not include any guarantee or expectation of employment at its conclusion.
- The participant—and the parent or guardian, when the participant is under age 18—must sign a waiver acknowledging:
 - That the experience is an unpaid WEX;
 - That the participant is not an employee of the provider or WEX host site;
 - That the participant is not covered by workers' compensation; and
 - That the participant assumes all risks associated with participation.

- The participant must not operate any motor vehicle as part of the WEX, except when traveling to or from the site as part of their personal commute.

Monitoring and Oversight for all WIOA Trainings:

- **Notification:** NWP Job Connect must be notified of serious incidents, and all Labor Law violations within 48 hours of recognition of the issue.
- The provider is responsible for continuous monitoring and oversight of all placements to ensure compliance with federal, state, and local policy, support participant success, and uphold program integrity.
- Provider must monitor placements through on-site visits, remote desk reviews, and regular communication with both the host site and participant. These efforts assess the participant's progress toward objectives outlined in their IEP/ISS.
- All training contracts will be monitored as part of the NWP Job Connect Oversight Plan. Monitoring may include surveys, site visits, interviews and other such processes to ensure participants are receiving valuable experience which follows all applicable policy relevant to safety, ADA, equal opportunity, and non-discrimination. All WIOA /TANF Youth funded trainings are subject to desk review of the CWDS file and physical file including but not limited to:
 - Contracts, training plans, and any modifications
 - Time, attendance, and payroll records
 - Justification for training, IEP/ISS, and training plan
 - Performance evaluations
 - Corrective actions, if necessary, including timelines
 - Required signatures and documentation
 - Reporting of discrepancies
 - Documents are saved in CWDS
 - Case notes are current and tell the story

WIOA Contracts for Training Services:

WIOA allows for training services to be provided through contracts for services.

1. OJT, CJT, IWT, and Transitional Jobs.
2. If NWPA Job Connect determines there is an insufficient number of eligible training providers in the local area to accomplish the purpose of ITAs.
 - a. Determination process must include a public comment period for interested providers of at least 30 days.
3. NWPA Job Connect determines there is an effective training services program offered by a community-based organization or another private organization to serve individuals with barriers to employment. NWPA Job Connect will develop criteria to be used in determining effectiveness. The criteria may include:
 - a. Financial stability of the organization
 - b. Demonstrated performance in the delivery of services to individuals with barriers to employment through completion rates; skill attainment; program certification or degrees; employment placement after completion.
4. NWPA Job Connect determines it is appropriate to contract with an institution of higher learning or other training services provider to facilitate training multiple individuals in in-demand industry sectors or occupations. The contract must not limit consumer choice.
5. NWPA Job Connect may enter a Pay-for-Performance contract. The contract must be consistent with 20 CFR 683.510.

NWPA Job Connect may provide training through a combination of ITAs and contracts if this is the most effective approach.

References:

WIOA Section 134(d)(5); 134 (c)(3)(h); 134 (c)(3)(G)(i)
WIOA 181(a)(1)(A)
WIOA Section 3(44)
20 CFR 680.190
20 CFR 680.195
20 CFR 680.300-340
20 CFR 680.530
20 CFR 680.700-840
20 CFR 680.840
20 CFR 683.260

History:

Name	Date	Rev. Level	Description of Change	Effective Date
Susan Richmond	03/274/2026	A	Created a new Training Policy Book	

Recissions:

NWPA Job Connect #202 Individual Training Account Policy
NWPA Job Connect #203 On-the-Job Training Policy
NWPA Job Connect #211 Transitional Jobs Policy
NWPA Job Connect #213 WIOA Incumbent Worker Training Policy
NWPA Job Connect #214 Customized Job Training Policy
NWPA Job Connect #325 WIOA Contracts for Training Services Policy