



## POLICIES AND PROCEDURES

POLICY TYPE: WIOA Training Services Policy
EFFECTIVE: 07/15/20
REVISED:

### PURPOSE

The purpose of this policy is to provide guidance on WIOA training services offered by Lane Workforce Partnership for Adult and Dislocated Workers participating in Workforce Innovation and Opportunity Act (WIOA) programs and special projects.

### REFERENCES:

Workforce Innovation and Opportunity Act (WIOA) sec. 134(c)(3)(A)

### BACKGROUND

Under WIOA sec 134 (c)(3)(A) training services may be made available to employed and unemployed adults and dislocated workers who have been determined after an interview, evaluation, or assessment, and career planning are: 1) unlikely or unable to obtain or retain employment that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment through career services; 2) in need of training services to obtain or retain employment leading to economic self-sufficiency or wages comparable to or higher than wages from previous employment; and 3) have the skills and qualification to participate successfully in training services.

Lane Workforce Partnership engages in three types of training allowable under the WIOA; 1) Individual Training Accounts (known locally as scholarships); 2) On-the-Job Training (OJT); and 3) Customized Training. Scholarship and OJT are made available to adult and dislocated worker participants receiving WIOA services through WorkSource Lane. Customized Training, administered by LWP staff, is reserved for businesses and only made available when funding allows. All three types of training and their associated parameters are addressed in this policy.

WIOA also allows for incumbent worker training and contracted training under specialist circumstances. While described in this policy, LWP does not currently engage in either, but reserves the ability to do so if/when needed.

### POLICY

#### Individual Training Accounts/Scholarships:

Scholarships are available for WIOA Title I Adult and Dislocated Worker Lane County residents. They are designed to provide traditional occupational skills training to participants who need training that prepares them for employment in demand occupations in Lane County.

In Lane County, scholarships are awarded through a competitive application process. Training must be completed within one year or less from the date of the award. For those attending training programs spanning more than one year, the scholarship shall only be awarded to reimburse training costs during the final year of training. Each year LWP reviews and establishes funding caps on scholarship awards, See: WIOA Funding Cap Limitations Policy.

WIOA requires maximum consumer choice in the selection of a training provider/program. In Lane County, this is accomplished through the selection of training listed on the Oregon State managed Eligible Training Provider (ETP) list. Customers are required to attend either a Career Exploration Workshop or a one-on-one Career Advisor appointment to insure the customer is receiving information needed to make an informed choice about the selection of the occupation and training program for which they would like to pursue.

Direct training costs in the scholarship award may include tuition, fees, lab fees, training certifications, class required books, occupational testing or licensing fees, training related certification/exam/licensing preparation or fees, uniforms, one-time purchase of a computer not to exceed \$500, or other items required by a training/educational institution or provider necessary to participate in or successfully complete a training program.

WIOA Title 1 Service Providers are required to follow Lane County's policy and procedures as outlined in the Lane County Scholarship Manual.

On-the-Job Training (OJT):

OJT is defined in WIOA as training that is provided under a contract with an employer in the public, private non-profit, or private sector. The basic purpose of an OJT is to allow a business to hire an individual, or upgrade an eligible employed worker who would not otherwise qualify for the job, and to teach the skills needed to perform at the entry level for the position (or at the appropriate level for the promotion). OJT is a hire first program. The trainee is an employee of the company that has agreed to provide the training. OJT is not a subsidized employment program. OJT training payments to businesses are deemed to be compensation to the business to offset the extraordinary costs associated with training and supervision of the participant and the costs associated with the lower productivity of the participant during the training period.

In Lane County, OJT is a strategic service designed to serve the needs of the business community in their hiring process and development of a skilled workforce. Priority for OJT funding is given to industries in Lane County that are within the Board designated priority industry sectors.

The OJT does not encourage or induce the relocation of a business or part of a business if such relocation would result in a loss of employment for any employee of such business at the original location and such original location is within the United States unless 120 days have lapsed since the date on which such business commences operation at the new location;

OJT funding is reserved for Lane County residents and business. However, LWP allows OJT outside of Lane County for:

1. A Lane County Adult or Dislocated worker who is able to receive OJT training that will lead to

- unsubsidized employment in a neighboring region (i.e. Linn County); or
2. A Lane County business demonstrating they are unable to recruit a Lane County resident for an employment opportunity, but are able to recruit an eligible worker from a neighboring county.

WIOA Title 1 Service Providers are required to follow Lane County's policy and procedures as outlined in the Lane County OJT Manual.

#### Customized Training:

Customized training is training that is designed to meet the special 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 for a significant cost of the training, as determined by the Local WDB in accordance with the factors identified in WIOA sec 3(14). Customized training may be considered when available training programs and/or curricula do not meet the specific training requirements of employer(s). The employer(s) can decide who will provide the training, what curriculum will be used, and which workers will be trained. The selected training provider is not required to be listed on the Oregon State managed ETP list.

Those selected to receive the training must be determined eligible for WIOA funded Adult or Dislocated worker training funds through the WIOA Title 1 Service Provider. Employer eligibility determination is the same as that set forth in the Lane County OJT Manual.

In most cases, the employer will be expected to contribute no less than 50% of the cost of training. This contribution rate may be negotiated based on economic conditions, skills training considered higher in demand for Lane County, and other factors favorable to Lane County workforce needs. In no case may the cost per participant in customized training exceed the funding cap set for the OJT program (See WIOA Funding Cap Limitations Policy).

NOTE: Currently, customized training is administered by LWP staff, is reserved for businesses, and only made available when funding allows. Lane Workforce Partnership's policy does not allow for providers of training to solicit the Lane Workforce Development Board for funding associated with conducting customized training.

#### Incumbent Worker Training:

Incumbent worker training must satisfy the requirements in WIOA sec. 134(d)(4) and increase the competitiveness of the employee or employer. Incumbent worker training is training 1) designed to meet the special requirements of an employer (including a group of employers) to retain a skilled workforce or avert the need to lay off employees by assisting the workers in obtaining the skills necessary to retain employment; and 2) conducted with a commitment by the employer to retain or avert the layoffs of the incumbent worker(s) trained.

The Local WDB may reserve up to 20% of their combined total of adult and dislocated worker allocations for incumbent worker training. Currently, LWP has no reserved funding for incumbent worker training, but reserves the ability to seek WBD approval to do so when needed to meet local business workforce development or retention needs.

Contracted Training:

Contracts for training services may be used instead of Individual Training Accounts/Scholarships only when one or more of the following five exceptions apply, and the local area has fulfilled the consumer choice requirements of WIOA:

- 1) When the services provided are on-the-job training, customized training, incumbent worker training, or transitional jobs;
- 2) When the Local WDB determines that there are an insufficient number of eligible training providers in the local area to accomplish the purpose of a system of ITAs.
- 3) When the Local WDB determines that there is a training services program of demonstrated effectiveness offered in the area by a community-based organization or another private organization to serve individuals with barriers to employment;
- 4) When the Local WDB determines that it would be most appropriate to contract with an institution of higher education or other provider of training services in order to facilitate the training of multiple individuals in in-demand industry sectors or occupations, provided that the contract does not limit consumer choice; or
- 5) When the Local WDB is considering entering into Pay-for-Performance contract, and the Local WDB ensures that the contracts is consistent with sec. 683.310 of the WIOA regulations.

NOTE: Currently, contracted training shall only be administered by LWP staff, and is reserved for instances that meet the above WIOA requirements. Contracted training shall only be made available when funding allows. Lane Workforce Partnership’s policy does not allow for providers of training to solicit the Lane Workforce Development Board for funding associated with conducting contracted training.

**PROCEDURES**

Policy and procedures for scholarship and OJT training programs is set forth in their respective manuals as referenced above.

In the event that LWP determines adequate funding is available for customized training, an open customized training application will be made available to the business community.

**REQUIRED ACTION**

Lane Workforce Partnership’s Adult and Dislocated Worker funded service provider(s) shall follow this policy. This policy will remain in effect from the date of issuance until such time that a revision is required.

**ISSUED:**

**Date: July 15, 2020**

**LWP Director of Workforce Investments**