

Technical Assistance Guidance

TAG-06-2015

Issued Date: Friday, November 13, 2015

Subject: Policy No. ADW-030-07 On the Job Training (OJT)

Revisions/Updates: Clarification of what prohibitions apply to the use of Workforce Investment Act (WIA)/Workforce Innovation and Opportunity Act (WIOA) Title I funds to encourage business relocation.

Purpose

To provide additional guidance and clarification to the workforce development system on providing services under WIA/WIOA Title I and with respect to policy ADW-030-07 On-the-Job training program item II (B) (3) – page No. 3.

Background

Training services may be provided if determined after an interview, evaluation or assessment, and career planning that the individual:

- Is 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 alone;
- Is in need of training services 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 alone; and
- Has the skills and qualifications to successfully participate in the selected program of training services.

Federal statutes and associated regulations further outline that the selection of training services should be conducted in a manner that maximizes customer choice, is linked to in-demand occupations, informed by the performance of relevant training providers, and coordinated to the extent possible with other sources of assistance.

Clarification to: Policy ADW-030-07 Item II (B) (3)

The following prohibitions apply to the use of WIA/WIOA Title I funds to encourage business relocations:

- No funds provided under Title I of WIA/WIOA shall be used, or proposed for use, to 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.
- No funds provided under Title I of WIA/WIOA for an employment and training activity shall be used for **customized or skill training, on-the-job training, or company-specific assessments** of job applicants or employees, for any business or part of a business that has relocated, **until the date that is 120 days after the date on which such business commences operations at the new location, if the relocation of such business or part of a business results in a loss of employment for any employee of such business at the original location and such original location is within the United States.**

References

PL 105-220 WIA Sec. 181; PL 113-128 WIOA Sec. 181; 20 CFR Part 663; 20 CFR Part 683 (NPRN) State Compliance Policy (SCP) 1.14 WC policy ADW-030-07.

Required Action: Provide technical assistance to sub-recipients and the One-Stop operator, as needed or necessary.