

Technical Assistance Guidance

TAG 20-2018

Issued Date: **Wednesday, February 14, 2018**

Subject:

Local Workforce Development Board (LWDB) - Workforce Connections (WC)
Policy Implementation Revision(s) & Update(s)

On the Job Training Program – General Guidelines

Purpose

To announce the publication and effective date for implementation of revisions/updates made to the following policy:

ADW-030-04 On the Job Training Program (OJT)

Background

WIOA and its associated regulations, codified under parts 680.700 through 680.850, include specific information about general, contract, and employer payment requirements.

Work-based training is employer-driven with the goal of unsubsidized employment after participation. Generally, work-based training involves a commitment by an employer or employers to employ successful participants after they have completed the training program.

OJT is primarily designed to first hire the participant and provide them with the knowledge and skills necessary for the full performance of the job.

Both training providers and employers providing OJT opportunities must be providing the highest quality training to program participants. OJT contracts must be continually monitored so that WIOA Title I funds provided through OJT contracts are providing program participants the training they need to successfully retain employment.

References

Workforce Innovation and Opportunity Act (WIOA) Public Law (P.L.) 113-128 Sec. 194

20 CFR Part 680.700 (b) What are the requirements for on-the-job training?

State Compliance Policy (SCP) 1.14 – On-the-Job Training and Customized Training

WC Policy ADW-030-04 On the Job Training Program

Consistent with compliance requirements with respect to the provision of on the job training services under Title I of WIOA, the following has been implemented until further notice.

Sec. I(B)(9)(a)(b), of the above referenced policy, was replaced in its entirety with the following:

Providers of WIOA Title I services must not contract with employers who have received payments under previous contracts under WIOA or the Workforce Investment Act of 1998 (WIA) and have exhibited a pattern of failing to provide OJT program participants with continued long-term employment as regular employees with wages and employment benefits (including health 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. [WIOA Sec. 194 (4)].

Providers of WIOA Title I services must report each failure to complete an OJT or to retain an OJT employee/trainee to their WC program manager through the designated reporting mechanism. This data will be used to develop and maintain a list of employers who have exhibited patterns of failure and distributed at least semi-annually to the providers of WIOA Title I services within the SNWDA.

The LWDB will issue further guidance and will provide technical assistance to the One-Stop Delivery System (OSDS) as appropriate or needed.

With the commitment to improve processes and after further research and assessment of established requirements, WC has revised and implemented the above referenced policy as appropriate.

Action: Please share this information with all staff and other interested parties.

WC policies can be located at: <http://nvworkforceconnections.org>