



Policy Title:	On-the-Job Training Policy		
Policy #:	WIOA 001	Effective Date:	07/01/2015
		Reviewed Date:	03/10/2021
		Expiration Date:	Until Rescinded or Superseded
Purpose:	This policy provides the Workforce Innovation and Opportunity Act's On-the-Job Training Program requirements.		
Forms:	N/A		
Guidance:	CareerSource Florida Admin Policy 009 ; Workforce Innovation and Opportunity Act (WIOA) Public Law 113-128 Code of Federal Regulations (CFR), Title 20 Parts 680.700 - 680.840; 683.400; 683.410 ; 2 CFR Appendix II to Part 200, Contract Provisions for Non-Federal Entity Contracts ; Training and Employment Guidance Letter (TEGL) 19-16 ;		

The Workforce Innovation and Opportunity Act (WIOA) offers several work-based training strategies. On-the-Job Training (OJT) is one of these work-based training strategies that provides WIOA eligible participants occupational skills essential to the performance of a specific job as established in WIOA section 134(c)(3)(D).

OJT addresses critical workforce needs, enhances skills of participants and aids businesses in attaining a qualified, skilled workforce with competencies needed to meet the businesses' needs. OJT is an "earn and learn" employment model where eligible participants may upgrade, retool and increase employability skills. OJT is most appropriate for adults and dislocated workers in need of new employer-based skills, and individuals with barriers to employment including, but not limited to, unemployed workers, underemployed workers, and out-of-school-youth. Individuals must meet WIOA eligibility criteria to participate in OJT programs.

On-the-Job Training is **defined** as training by a business that is provided to a paid participant while engaged in productive work in a job that:

1. Provides knowledge or skills essential to the full and adequate performance of the job;
2. Is made available through a program that provides reimbursement to the business of up to maximum allowable percentage of the wage rate of the participant, except as provided in WIOA Section 134(c)(3)(H) which is further outlined in this policy, for the extraordinary costs of providing the training and additional supervision related to the training; and

3. Is limited in duration, as appropriate to the occupation for which the participant is being trained, and taking into account the content of the training, the prior work experience of the participant, and the service strategy of the participant, as appropriate.

Eligible participants are any individuals who meet WIOA adult, dislocated worker or youth eligibility for career services, received an assessment which determined them to be in need of training services and have a developed career plan. If the participant is a male and over the age of 18, they must register for Selective Service. All participants must be deemed eligible for WIOA services **prior** to beginning the training.

Despite the benefits to businesses who participate as an OJT business, the focus of the OJT program is on the individual. OJT is designed to provide an opportunity of the WIOA eligible individuals to receive the training necessary to acquire skills and knowledge that will enable them to maintain unsubsidized employment and/or job advancement.

An **eligible participant**:

- must demonstrate a need for training.
- has established their suitability when an OJT opportunity aligns with their existing skill set or educational background.
- is deemed to have the core competencies to be successful in the position.
- is likely to attend and complete all training based on current needs and barriers;

Businesses will have the final selection authority for individuals to be selected for an OJT.

Business eligibility ensures that participants are placed in OJT for occupations that are in demand in Volusia and Flagler counties, are appropriate for the program and included on CSFV's Local Targeted Occupations List. Occupations or job types that are not allowable for an OJT are:

- Those whose principle source of income is tips, commissions or piecework;
- Intermittent or seasonal in nature; or
- Less than 30 hours per week

Prior to a business participating in the OJT Program, CSFV staff will ensure that:

- the physical location of the company is located in Volusia or Flagler Counties.
- the business has been in existence for at least 1 year. Any business that has been in existence less than 1 year will require prior management and board approval.
- if the business relocated from another location in the United States which resulted in an employee losing their job at the original location, the business may not be awarded an OJT contract until the business has operated in the new location for a minimum of a hundred twenty (120) days.
- the business holds a valid business tax receipt (formally an occupational license) and is an active business verified by Florida Department of State Division of Corporations (www.sunbiz.org).
- the business has not experienced any layoffs in the past six months, verified by Florida's Department of Economic Opportunity WARN notifications.
- the business maintains Workers Compensation Insurance (if applicable).
- the business agrees to communication with CSFV staff regarding the progress of the program participant (including both during and at the end of the training) and timely submission of required documentations.

Continued business eligibility will be contingent on the following:

- CSFV Business Service Representatives (BSRs) will conduct an in-person annual visit to each business where an OJT participant is placed. The purpose of the in-person visit is to assess the appropriateness of the site and to ensure that it meets all the terms of the OJT contract. Any concerns expressed by the BSR will be alleviated prior to a new participant beginning an OJT. All concerns and their resolutions will be documented in the business's Employ Florida file.
- The business has not permanently laid off any employees within the last one hundred eighty (180) days.

The following guidelines are established by CSFV for the parameters of On-the-Job Training contracts in Flagler and Volusia Counties.

- The length of OJT contracts will be determined by the skills associated for the occupation as described in the O*Net database (version 3.1 or higher), job zones listed on O*Net and the Specific Vocational Preparation (SVP).
- All contracts will not exceed a 12-month period, with exceptions only in instances where it takes longer to learn the job (i.e. apprenticeships) and is documented in the participant's file with the justification.
- The maximum amount a business can earn is \$30,000.00 unless that business is a board member affiliated company in which instance the maximum is \$25,000.
- The maximum amount of wage reimbursement to the business is defined below.

For a WIOA Adult, a maximum of 50% of the total wage (not to exceed the Florida State OJT Wage Cap) and based upon the weights set by CSFV for industry sectors, priorities, and target participant populations will be reimbursed; or

For a WIOA Dislocated Worker, the maximum of 75% of the total wage (not to exceed FL State OJT Wage Cap), and based upon the weights set by CSFV for industry sectors, priorities, and target participant populations will be reimbursed.

- All contracts will include the requirements as defined by CareerSource Florida's Policy Number 009, Section F.

Conflicts of Interest will be prevented by:

- CSFV ensuring that no referrals from and/or to a CSFV Board member will be favored over another business in the community. OJT placements shall be made based upon what will be most beneficial to the participant.
- CSFV staff will not recommend an agreement or making OJT referrals to businesses who are owned by members of the immediate family of any CSFV staff.

Payments to businesses must comply with federal regulations and state guidelines, and in accordance with the specific WIOA program guidelines. Businesses must ensure that participant wages are equal to those similarly employed by the business and with the expectation that the business will continue working after the OJT contract ends, receiving

compensation and benefits that are commensurate with their job performance and in alignment with other workers.

No funds from CSFV will be utilized to pay for the following

- Paid or unpaid holidays
- Sick leave
- Vacation
- Overtime hours
- Fringe benefits; and/or
- Training related supplies and/or equipment
- Work performed outside of the OJT contract

OJT contracts are contingent on available funding. If funds are not available, the Business Services Representative will remain in touch with the business and advise them when additional funds are available.

A Reverse Referral occurs when an individual is referred to CSFV from a prospective business (under either formal or informal agreement) for assessment as to whether the individual meets the business' hiring requirements for a specific position.

In very limited circumstances OJT initiated through "reverse referral" may be permitted. Businesses must not make or have made a hiring decision prior to the participant becoming eligible for the OJT program through CSFV. Development of an OJT for an individual referred by the business may be permitted **only when**:

- the individual progresses through the intake process as with any other CSFV customer and meets all WIOA eligibility and suitability requirements;
- the completed individual career plan indicates training is necessary for the individual to perform the work associated with the position for which the employer has an opening;
- justification for WIOA training services outlines OJT is most appropriate, needed and identifies participant skills gap analysis;
- the business meets all the eligibility criteria outlined in this policy;
- the business has not made a hiring decision prior to the individual referral to CSFV; and
- the business provides assurance that the individual has not previously been employed by the business in the same or similar position.

CSFV must utilize normal eligibility assessment and enrollment procedures. Participant's eligibility must be determined prior to employment; no pre-hires or period of employment prior to the execution of an OJT agreement and participant training plan are acceptable.

CSFV will retain records for each OJT business and participant for a minimum of five years.

OJT contracts and exceptions to these guidelines will be approved by CSFV's President & CEO.

Questions regarding this policy may be directed to the Managing Director of Operations at 386-323-7013.