

SOUTHERN 14 WORKFORCE INVESTMENT BOARD, INC.

DEAN ROGAN SR, CHAIRMAN

PAM BARBEE, EXECUTIVE DIRECTOR

MEMO

TO: Executive Committee
FROM: Pamela Barbee
DATE: August 10th



The Executive Committee will meet via EMAIL:

Monday, August 10, 2026

The purpose for this meeting is to:

1. To review and accept the Draft WEX Local Policy 22 packet and Draft OJT Local Policy 24 packet

WORK EXPERIENCE

Southern 14 Workforce Investment Board, Inc., LWIA #26

The Southern 14 Workforce Investment Board, shall use the following criteria for the purposes of determining the allowability of a public or private, company, agency or organization to act as a worksite for youth, adult or dislocated worker employment:

Not all educational experiences available to WIOA participants are classified as training services or occur under conditions similar to those outlined in the Training Options (Policy 16, Section B.). Work Experience can be used by the customer to successfully complete their training goals.

Work Experience for Adult and Dislocated Worker is defined as 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. A work experience workplace may be in the private for profit sector, nonprofit 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, exists.

For Youth paid work experiences have academic and occupational education as a component of the work experience, which may include the following types of work experiences:

- Summer employment opportunities and other employment opportunities available throughout the school year;
- Pre-apprenticeship programs—a program or set of strategies designed to prepare individuals to enter and succeed in a registered apprenticeship program and has a documented partnership with at least one, if not more, registered apprenticeship programs;
- Internships and job shadowing; Work Experience and Supported Work Policies.

For all participants; work experience is a planned, structured learning experience that occurs in a workplace for a limited period of time and may be paid or unpaid. Work Experience differs from On the Job Training and Incumbent Worker Training in that no hiring occurs either prior to or after the learning experience.

Work experience may be combined with classroom instruction relating to a particular position, occupation, industry or basic skills and abilities necessary to successfully compete in the local labor market.

A. Elements of Work Experience Program:

- 1) Instruction in employability skills and or generic workplace skills;
- 2) Exposure to various aspects of an industry;
- 3) Progressively more complex task;
- 4) Internships and job shadowing;
- 5) The integration of basic academic skills into work activities;
- 6) Supported work, work adjustment, and other transition activities;

- 7) Other elements designed to achieve the goals of work experiences.

B. Requirements for Work Experience

- 1) Objective Assessment: Only registrants determined to be in need of work experience through objective assessment and as documented in the customer's Universal Career Plan may participate in a work experience activity. When determining individual's needs, the objective assessment must consider the individual's prior education, work history, and barriers to employment. A candidate for work experience is a registrant who is appropriate for long-term employment in a particular industry or occupation, but does not have all of the skills or the experience to qualify for entry-level employment in the field.
- 2) Duration: The duration of the work experience must be limited to the number of hours appropriate for career exploration of the target occupation and/or the time needed to develop good work habits and accomplish the goals established in the Universal Career Plan ~~IEP or ISS~~. Duration may vary depending on the complexity of job tasks and the individual needs of the registrant, but should not exceed the financial limits established by the local area for work-based training. Training dollars are capped at \$15,600 per employee. Special exception to this guideline must be approved in writing by Southern 14 Workforce Investment Board, Inc. The training program should generally not exceed at total of 1,040 full-time hours of actual training (the equivalent of full-time training for six (6) months). Special exceptions to this policy must be approved in writing by Southern 14 Workforce Investment Board, Inc. Exemptions may be reviewed and approved by the Executive Director. Please submit the LWIA Request for Work Experience Increase that can be found in our Local Policy 22 Forms to the Southern 14 Executive Director.
- 3) Documentation: Work Experience documentation must be maintained in the customer's IWDS 2.0 file and made available upon request. At a minimum, the file must contain the following:
 - a. Work Experience and OJT Pre-Award Survey. This is a pre-evaluation tool used to determine the appropriateness of utilizing the worksite for work experiences. This task should be completed by the WIOA Program Manager/Service Provider. If participant is under 18 and there is no background check completed for the worksite's supervisor, then a sex offender search is completed.
 - b. Work Experience Contract
 - 1) The contract must include, at a minimum: the worksite information, work experience requirements, employer responsibility and assurances, and other terms and conditions of work experience, such as consequences of not adhering to the agreement and a termination clause.
 - 2) The worksite or host site entity and the Service Provider must sign and be given a copy of the contract. The contract must be available for audit and monitoring purposes

- c. Supervisor Orientation
 - a. Worksite Supervisor Handbook is provided to the Worksite Supervisor during orientation.
- d. Participant Orientation
- e. Work Experience (WEX) Outline/Plan with Job Description Attached
 - a. The outline must include, at a minimum: the type of work experience, the location where the training will take place, the duration (beginning and end dates), compensation, skills, supplies needed for the work experience, and supervision.
 - i. An individualized WEX skills analysis must be conducted to determine the acquisition of skills that the customer does not already possess.
 - ii. This analysis will contain occupationally specific skills that the employer requires for competency in the WEX occupation.
 - iii. An analysis of the trainee's prior work history, transferable work skills, and the job skills gained must be compared to the job skills/job description the employer requires in the WEX occupation. The resulting skills gap will serve as the basis for developing the WEX.
 - iv. Skill gaps should be addressed by providing the appropriate services and are documented in Section 3 of the WEX Outline/Plan appropriately. These services can be provided outside the WEX if the Employer does not provide such training. Services should then be provided to the trainees by cross referencing the skill gaps with the Service Matrix Explorer in IWDS 2.0.
 - 1. Example # 1 of Documented Skills Gap in Section 3: Ex:
Enhancing the employability of individuals who already have occupational skills, such as computer skills, in demand but lack up-to-date skills required in most workplaces hiring for the occupation.

Adult

- a. Goal=Employment/Start a new career [Career Cluster] by using my strengths and learning new skills in an industry I haven't worked in before.
 - b. Step=Take part in short-term services that help improve and upgrade your current skills.
 - c. Service=Short Term Prevocational Services
 - i. Ie: Ed to Go Microsoft Excel Certification Training at IECC
2. Example #2 of Documented Skills Gap in Section 3: Skills and/or abilities that enable someone to relate to others and adapt to a workplace environment and are necessary to being successful in the workplace. Soft skills are non-technical, intangible, and personality-specific skills. Soft skills may include work habits

(such as punctuality, appropriate attitude and behavior, cooperation, the ability to take constructive criticism), integrity, interpersonal skills, problem-solving, multitasking, making good and informed decisions, communicating with others, positive job attitude or managing oneself in the workplace, showing initiative and reliability, etc.

- a. Goal=Employment/Start a new career [Career Cluster] by using my strengths and learning new skills in an industry I haven't worked in before.
 - b. Step=Grow your skills so you can find a job, keep it, and move up in your career by learning how to work well, solve problems, and stay professional.
 - c. Service: Workforce Preparation Skills
 - i. Ie: Talking with your customer regarding their results of Employment 101 in Illinois WorkNet
- b. The employer of record, the customer, the LWIA/Contractor, and the work experience provider, if different than the employer, must all sign and be given a copy of the outline. The outline must be available for audit and monitoring purposes.
- f. Universal Career Plan
- g. Work Experience (WEX) Progress Report (REPORTING PERIOD START DATE AND REPORTING PERIOD END DATE)
 - a. The progress report must include, at a minimum: an evaluation of the customer, including the progress made towards obtaining the skills in the outline and the hours worked.
 - b. The work site supervisor, the customer, the LWIA/Contractor, and the work experience provider, if different than the employer, must all sign and be given a copy of the outline. The progress report must be available for audit and monitoring purposes.
- h. On The Job (OJT)/Work Experience (WEX) Local Monitoring Report
 - a. Initial Report is completed within 30 days of the start of the WEX
 - b. All other Reports are completed every 30 days (or less) for the duration of the contract.
- i. LWIA Request for Work Experience Increase
 - a. As needed

- j. Participant Time Sheets
 - a. The Time Sheets must include a running total each pay period showing total hours worked and the total amount paid.
 - k. Final Cost Report
 - a. This will show the total hours worked and total amount paid and should come from the Service Provider Accounting Package.
- 5) Monitoring: Service Providers, Career Planners, and the LWIB are required to perform monitoring of worksites to ensure compliance with project goals and adherence to WIOA law, policies and procedures.
- a. Service Provider Monitoring (WIOA Program Manager/Service Provider) should be completed first and is called the Work Experience and OJT Pre-Award Survey. This is a pre-evaluation tool used to determine the appropriateness of utilizing the worksite for work experiences. This task should be completed by the WIOA Program Manager/Service Provider before the start of the contract.
 - b. Career Planner Monitoring should be completed every 30 days (or less) for the duration of the contract with the first Monitoring Report to be completed within 30 days of the start date of the contract. This tool is called the On The Job (OJT)/Work Experience (WEX) Local Monitoring Report.
 - c. LWIB Monitoring should be completed 1 time after the end of the contract. This tool is called LWIB WEX File Monitoring.
- 6) Employment Relationship: If the worksite/job site/ host site is relying on the registrant to perform substantive work, i.e., to be productive, then the situation should be recognized as an employer-employee relationship

In accordance to the Illinois Paid Leave for All Works Act, effective January 1, 2024 – each individual participating in an employment relationship at a worksite/job site for more than ninety days will earn paid time off (PTO) at the established rate mandated by the Act of one hour for every forty hours worked. The individual shall be allowed to use this time for any purpose and will not be required to disclose the reason. PTO is accrued from first the day of work, but may not be used until after ninety days at the worksite/job site. While no advance notice is required to utilize this leave, the individual is responsible to advise their supervisor prior to the start of their scheduled shift and appropriately reflect the leave on their time sheet. In the event that PTO is not used by the end of the calendar year, individuals may carry unused time forward. Upon termination of employment individuals will be paid for the unused PTO at their regular rate of pay for PTO earned up to the last day worked.

Individuals participating for less than ninety days will not be entitled to PTO.

The requirements of the Fair Labor Standards Act (FLSA) apply whenever an employer/employee relationship exists. WIOA registrants are subject to the requirements of the FLSA to the extent that the activities performed during the work experience constitute employment.

According to the Wage and Hour Division of the U.S. Department of Labor, Employment Standards Administration, if all of the following six elements exist, the work experience can be considered a training situation. The WIOA registrant is not an employee of the employer site if:

- a. The training, even though it includes actual operation of the facilities of the employer, is essentially a training experience similar to a vocational school;
- b. The registrant is primarily the beneficiary of the experience;
- c. Regular employees are not displaced and the experience is closely supervised/observed;
- d. The "employer" that hosts the experience derives no immediate or significant advantage (and may experience an actual downside);
- e. The registrant is not necessarily entitled to a job at the conclusion of the experience;
- f. There is a mutual understanding between the registrant and the host agency that the registrant is not entitled to wages for this time because the activity is essentially a training experience.

If any of the above six (6) conditions are not met, the WIOA registrant must be considered an employee. Only if the registrant can be considered a trainee and not an employee, may the work experience be unpaid. For more information about the FLSA see www.opm.gov/flsa

- 7) Employer of Record: If the worksite is relying on the registrant to perform substantive work, i.e., to be productive, then the situation should be recognized as an employer-employee relationship. In this situation, the business, not the agency, is the "employer of record". Registrants must receive no less than the applicable state or federal minimum wage (see section 11 Compensation for further guidance on local minimum wage ordinances). The employer of record is responsible for paying all taxes and providing similar benefits as are available to other employees. For information about federal and Illinois minimum wages law see. www.dol.gov/dol/topic/wages/minimumwage.htm and WWW.state.il.us/agency/idol/fag/gamwot.htm

In other circumstances (i.e., if the worksite/job site/ host site does not rely on the registrant to perform substantive work, but all six conditions are not met) the WIOA delegate agency has the option of being the employer of record for the WIOA registrant. The delegate agency as employer of record is responsible for paying the registrant and negotiating with the worksite/job site/ host site regarding the activities that will be performed by the registrant. The work experience may occur at the service provider or employer location or the registrant may be referred to a worksite/job site/ host site to receive the work experience. The worksite/job site/ host site is the location where work experience task will occur.

- 8) Payments and Tax Treatments: All paid work experience is subject to state and federal tax withholdings. Employers must identify the taxes applicable to each type of payment, and must also determine the necessity and/or arrangements for withholding and payment of income, employment, FICA, Medicare, and Unemployment Insurance taxes applicable to the type(s) of payments to be made to registrants (i.e., wages, stipends, allowances, needs-related payments, or incentives).

- 9) Child Labor Laws: If the project proposes to serve youth, the design must include assurances of compliance with applicable State and Federal Child Labor laws and a discussion of any specific provisions of those laws directly bearing on the project (e.g., hours of work or hazardous occupations). These laws include the Fair Labor Standards Act (FLSA), and 820 ILCS 205/, Illinois' Child Labor Law (also see the related State implementing regulations at 56 ILL. Adm. Code 250). The FLSA and the Illinois Labor Law (and Rule) may be accessed at:

FLSA: www.opm.gov/flsa

820 ILCS 205/: www.satc.il.us/agency/idol/laws/Law105.htm

For information and resources on safety and child labor laws, consult

<http://www.state.il.us/Agency/IDOL/Facts/MW.HTM>

<http://www.statc.il.us/agency/idol/forms/pdfs/FLSCLL03.pdf> and

<http://www.osha.gov/teens>

- 10) Worksite/Job site/ Host site Prohibition: The employment of participants in work experience programs must not occur at worksite/job site/ host site where:
- A participant's employment would unfavorably impact current employees (a participant would displace all or a portion of a current employee's hours including overtime, wages, employment benefits, or promotional opportunities);
 - A participant's employment would impair existing contracts for services or collective bargaining agreements;
 - A participant's employment would replace the work of discharged employees who were subject to layoff;
 - An employer has terminated a regular employee or otherwise reduced its workforce with the intention of replacing them with participants subsidized with these funds;~~or~~.
- 11) Compensation: Participants in a paid work experience must be provided a reasonable wage or stipend (whichever applies) consistent with that paid for similar work according to 2 CFR 200.430(b) in the Uniform Guidance.
- 12) Health and Safety Standards: Health and safety standards otherwise applicable to working conditions of employees are equally applicable to working conditions of registrants in programs and activities under Title I WIOA. The Illinois worker's compensation law may or may not apply to a participant in work experience depending on the work experience arrangements and employer's benefits. If the worker's compensation law does not apply to a participant in work experience, insurance coverage must be secured for injuries suffered by registrants participating in work experience. The work experience must provide for compliance with health and safety standards established under Federal and state law.

ON-THE-JOB TRAINING POLICY

Southern 14 Workforce Investment Board, Inc, LWIA #26

The Southern 14 Workforce Investment Board and its service provider entities shall use the most current Department of Commerce policies/notices and its attachments under the Workforce Innovation and Opportunity Act of 2014.

General Requirements

1. On-the-job training (OJT) programs must provide potential new employees (adults, dislocated workers or eligible youth, when appropriate) or eligible underemployed workers with the opportunity to acquire new skills or knowledge essential to job performance.
2. Service providers may approve the purchase of items required for the OJT such as tools, equipment, and uniforms.—Supportive Service policy should be utilized with a Supportive Service Needs Review completed with appropriate documentation.
3. The participant must be an employee during the OJT contract period and the employer must agree to the contract prior to the person's start date.
 - a. Employment will continue upon successful completion of training. Successful completion includes:
 - 1) Acquired the skills identified for the training program and met the goals of the Universal Career Plan;
 - 2) Complied with all company and employment obligations throughout the training.
 - b. The intent of an OJT is full-time paid employment that leads to self-sufficiency according to the most current Lower Living Standard Income Level or at or above the self-sufficiency level established by LWIB 26 standard.
 - c. Consideration may be given to an OJT placement that is less than full-time if an individual is receiving a service other than education or training and has one or more of the following barriers to employment: adult or youth with a disability, an ex-offender, a youth aging out of foster care, eligible migrant and seasonal farmworkers, an individual who is homeless, or an English language learner, who has low literacy levels and faces substantial cultural barriers.
 - d. Employers may not hire OJT employees as independent contractors.
4. Employers are ineligible for an OJT contract if they have previously exhibited a pattern of failing to provide OJT participants with continued long-term employment with wages, benefits and working conditions that are equal to those provided to regular employees who have worked a similar length of time and are doing the same type of work.
5. Training does not have to occur at the employer's location. a. OJT providers are not subject to the eligibility requirements for WIOA training providers. b. Although these providers are not included in the State Eligible Training Provider List (ETPL), they are considered to be eligible providers of training services (§ 680.530).
6. Local Workforce Innovation Board Area 26 (Southern 14 Workforce Investment Board, Inc.) (LWIB 26) may combine OJT with other forms of training.

- a. As part of a customer's training outline, OJT may combine other types of training such as work experience, classroom, and remediation. Training is paid for using an Individual Training Account (ITA).
 - b. OJT may combine with ITAs to support placing customers into Registered Apprenticeship programs.
 - c. When combining OJT with other types of training such as those above, only the OJT hours are eligible for wage reimbursement.
7. OJT participants are not eligible to receive Needs Related Payments (NRPs).
8. OJT participants cannot be immediate family members of the business owner or direct supervisor. 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.

Participant Eligibility

1. OJT participants must be determined eligible for each applicable funding source (i.e., WIOA Adult, Dislocated Worker, or Youth formula funded programs) and have worked with the career planner to complete the following:
 - a. A Work-Based Learning Assessment of the customer's pre-existing knowledge and skills relevant to the OJT position;
 - b. A Universal Career Plan that demonstrates the need for OJT; and
 - c. A training plan that meets the specific skill requirements for the position at the hiring employer.
2. OJT may be used to train an underemployed customer who currently works at the OJT employer only if the OJT elevates that employee to reach at least a self-sufficient wage through skill upgrade training that relates to any of the following:
 - a. The employee is not earning a self-sufficient wage as determined by the Local Workforce Innovation Board (LWIB) policy;
 - b. The OJT contract complies with the OJT Reimbursement section of this policy;
 - c. The OJT relates to the introduction of new technologies, new production or service procedures, an upgrade to a higher-skilled position requiring the individual to learn additional skills;
 - d. Other appropriate purposes identified by LWIB 26 (§ 680.710); or
 - e. LWIBs may choose to consider OJT contracts for eligible youth when it is appropriate based on the needs identified by the objective assessment of the individual youth and the individual's likelihood of long-term success if given the opportunity (WIOA Section 129(c)(2)(C)).

Employer Eligibility

1. Employers in the public, private non-profit or private sector may use OJT programs. OJT's may not be provided to government entities.

2. A staffing agency is an eligible employer for WIOA-funded OJT if the staffing agency meets the following conditions:
 - a. The position is “temp to hire” and the host employer will hire the participant within a time as defined by LWIB 26 policy.
 - b. The placement from the staffing agency must be full-time as defined by the host employer.
 - c. The OJT participant wages and working conditions are 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.
3. The wage provided by the employer to the OJT participant must be at least equal to the federal, state or local minimum wage (Fair Labor Standards Act).
4. In addition to meeting the General Requirements of this policy, an employer will be ineligible to receive a WIOA OJT contract at the worksite location if:
 - a. The employer has any other individual on layoff from the same or equivalent position.
 - b. The same or equivalent position is open due to a hiring freeze.
 - c. The OJT would infringe upon the promotion of or displacement of currently employed workers or a reduction in their hours.
 - d. The employer has terminated the employment of any regular employee or caused an involuntary reduction in its workforce with the intention of filling the vacancy with OJT participants.
 - e. The positions are for seasonal employment.
5. The employer must have the capacity and commitment to ensuring that the OJT program will address skills gaps specific to the individual and that staff has the time and knowledge to carry out the necessary training.
6. The employer agrees to cooperate with monitoring and reporting efforts as required by WIOA legislation, including a pre-award survey and adhere to all other applicable local, state and federal rules and regulations. A Copy of the pre-award survey is attached.

Apprenticeship

1. LWIB 26 may establish an OJT contract with an employer that has a registered apprenticeship program, but only the OJT hours are eligible for wage reimbursement through the OJT portion of the program.
2. Individual Training Accounts (ITAs) and OJT funds may be combined to support placing participants into a registered apprenticeship program, just as they can be used together for a participant who is not in a registered apprenticeship.
 - a. LWIB 26 may choose to set the duration or a financial limit on ITAs and OJT for apprenticeships as defined in LWIB 26 policy for such programs.
 - b. An ITA should support the classroom portions of the apprenticeship program, and OJT funds may only support the on-the-job training portions of the program.
3. Depending on the length of the registered apprenticeship and local OJT policies, WIOA OJT funds may cover some or all of the registered apprenticeship training. Southern 14 Workforce Investment Board, Inc. (LWIB26) may choose to set the duration or a financial limit on ITA’s and OJT’s for Registered Apprenticeships.

4. Other types of training combined with OJT may take place during scheduled work shifts, but must not interfere with the full-time commitment of the OJT.

LWIB Responsibility

1. LWIBs must set policy for implementing OJTs including:
 - a. The sub-recipient/service provider are authorized to negotiate OJT contracts on behalf of LWIB 26.
 - b. The Work Experience and OJT Pre-Award survey are a procedure that verifies the employer is suitable for OJT and meets state and federal policy and guidelines (i.e., working conditions (safety and health), wage structure, turnover rate, etc.).
 - c. Procedures guiding OJT contract modifications and employer disputes with the grantor and/or the trainee can be found on the OJT Contract.
 - d. The maximum length of time the OJT may be in place as well as financial limits for the OJT that considers:
 - 1) The amount of time it should take the individual named in the contract to become proficient in the occupation for which he or she is hired, as defined by DOL's Specific Vocational Preparation (SVP), including apprenticeships.
 - 2) The participant's pre-existing knowledge and skills relevant to the position for which he or she is hired based on the required personalized knowledge and skills assessment.
 - 3) LWIB 26 financial limits for OJTs and/or ITAs. Training dollars are capped at \$13,500 per employee. Special exception to this guideline must be approved in writing by Southern 14 Workforce Investment Board, Inc.
 - 4) The training program should generally not exceed at total of 1,040 full-time hours of actual training (the equivalent of full-time training for six (6) months). Special exceptions to this policy must be approved in writing by Southern 14 Workforce Investment Board, Inc.
 - e. LWIA 26 will allow OJT contracts with staffing agencies if the following conditions are met:
 - 1) The Staffing agency must insure the "temp to hire" can be in place a maximum of 1,040 full time hours before the host employer must hire the participant full-time.
 - 2) Unless previously agreed upon by the host and staffing agency, the staffing agency will act as the employer of record. However, both must sign the contract to ensure an understanding with reporting requirements and provide assurance that both will abide by provisions within local and state policy.
2. Prior to entering into an OJT contract with an employer, LWIB 26's Sub-recipient/Service Provider must conduct a pre-award survey that includes verification of employer eligibility outlined in the Employer Eligibility of this policy.

OJT Contracts and Modifications

1. Upon determining the employer's capacity to provide OJT programs, LWIB 26 Sub recipient / Service Provider negotiates an OJT contract with the employer to determine an individualized training plan, reimbursement rate and training length, among other contract provisions deemed appropriate by LWIB 26. The standardized OJT contract that LWIBs will use is attached to this policy.

2. LWIB 26 Sub recipient / Service Provider is responsible for selecting and contracting with employers in the public, private non-profit or private sector to provide high quality OJT programs (WIOA Section 134(c)(3)(G)(ii); § 680.700).
3. LWIB 26 must perform a standardized pre-award review, prior to receiving a contract that at a minimum:
 - a. Is documented jointly by LWIB 26 Sub-recipient/Service Provider and the OJT employer that includes names under which the establishment does or has done business, including the name, title, and address of the company official certifying the information.
 - b. Determine whether WIOA assistance in connection with past or impending job losses at other facilities has occurred; including a review of whether the employer filed any WARN notices within the previous four (4) months.
4. The OJT contract must be limited to the period required for each participant to become proficient in the occupation for which he or she is hired and the training is being provided (§ 680.700(c)).
 - a. The appropriate duration and intensity of the training is based on a skills gap assessment that considers the following:
 - 1) The skill requirement of the occupation;
 - 2) The academic and occupational skill level of the participant;
 - 3) Prior work experience; and
 - b. The participant's Universal Career Plan (WIOA Section 134(c)(2)(A)(1)(xii)(II)). The skill requirement of the occupation should align with the SVP time estimate determined by USDOL which includes the time required to learn the techniques, acquire the information and develop the skills needed for average performance in a job. This occupational preparation includes time spent in training programs, academic training, and related work experience.

Specific Vocational Preparation (SVP) codes are used to calculate the maximum length of time allowable. Occupation specific SVP codes can be found at www.onetonline.org

Level	Time
1	*Short demonstration only
2	*Beyond short demonstration up to and including 30 days
3	Over 30 days, up to and including 3 months
4	Over 3 months, up to and including 6 months
5	Over 6 months, up to and including 1 year
6	Over 1 year, up to and including 2 years
7	Over 2 years, up to and including 4 years
8	Over 4 years, up to and including 10 years
9	Over 10 years

5. OJT contracts with eligible employers may allow the employer to provide OJT to a single employee or to multiple employees. In the case of multiple employees, each person must have an individualized assessment of knowledge and skills relevant to the position to determine the content and duration of the OJT training plan.

6. OJT contracts need to be modified if there are significant changes, such as layoffs or changes in federal, state, and local rules and policies pertaining to the implementation of OJTs.
7. A written outline/plan detailing the parameters of the OJT must be developed between the employer/worksite, the LWIA/Contractor, and the customer using the OJT Training Outline-Plan.
 - a. The outline must include, at a minimum, the location where the training will take place, the duration (beginning and end dates), compensation, skills, supplies needed for the OJT, and supervision.
 - i. An individualized OJT skills analysis must be conducted to determine the acquisition of skills that the customer does not already possess.
 - ii. This analysis will contain occupationally specific skills that the employer requires for competency in the OJT occupation.
 - iii. An analysis of the trainee's prior work history, transferable work skills, and the job skills gained must be compared to the job skills/job description the employer requires in the OJT occupation. The resulting skills gap will serve as the basis for developing the OJT.
 - b. The employer of record, the customer, the LWIA/Contractor, and the training provider, if other than the employer, must all sign and be given a copy of the outline. The outline must be available for audit and monitoring purposes.
8. A written progress report that includes invoicing must be submitted by the employer to LWIA/Contractor utilizing the OJT Progress Report and Invoice attachment.
 - a. The progress report must include, at a minimum, an evaluation of the customer, including the progress made towards obtaining the skills in the outline and the hours worked.
 - b. The Final Rules have indicated that soft skills are not rigorous enough to count toward a progress report that would count as a Measurable Skill Gain.
 - i. To determine if progress reports can count as an MSG, they must document substantive skill development achieved by the customer. At least one skill listed on the outline/plan must indicate that the skill was learned or show improvement.
 - c. The OJT Progress Report and Invoice must be submitted each pay period by the OJT Provider to the Service Provider.
 - i. Section 1 and 3 MUST BE completed by the Career Planner
 - ii. Section 3 Skills MUST be copied from the OJT Training Outline/Plan Section 2
 - iii. Section 2, 4, and 5 MUST be completed by the OJT Provider (Worksite Supervisor) and signed by both the OJT Provider (Worksite Supervisor) and the OJT Trainee
 - iv. A copy of the invoice/pay stub must be submitted each pay period where the OJT Trainee was paid will need to accompany the OJT Progress Report and Invoice for reimbursement purposes. This invoice/pay stub should match Section 4 of the OJT Progress Report and Invoice.
 - d. Page 4 of the OJT Progress Report and Invoice should be completed by the Service Provider for each pay period to keep track of the hours worked and amount paid.

- e. The work site supervisor, the customer, the OJT provider, and the LWIA/Contractor must all sign and be given a copy of the outline. The progress report must be available for audit and monitoring purposes.

OJT Reimbursements

1. OJT is provided for a WIOA customer in exchange for a negotiated reimbursement wage rate of fifty percent (50%) and in some cases up to seventy-five percent (75%) of the wage rate to compensate for the employer's extraordinary costs of training and additional supervision related to the training WIOA Section 3(44), 134 (c)(3)(H)(i), 134 (c)(3)(H)(ii) and § 680.730).

LWIA 26 may approve increasing the reimbursement wage rate up to 75% when taking into account the following factors:

- 1) The characteristics of the participants taking into consideration whether they are a Veteran and/or individuals with barriers to employment:

- A person with a disability
- A person who has been incarcerated
- A person who is basic skill deficient
- A person who is homeless.

thus, LWIB 26 policy may provide a higher rate of reimbursement for individuals who will require more intensive training than individuals without barriers;

- 2) The size of the employer; LWIB 26 shall consider the size of the business based on the total number of 50 or fewer full-time employees at the location where the OJT will occur.

OJT training dollars are capped at \$15,600 per employee. Special exceptions to this guideline must be approved in writing by the Southern 14 Workforce Investment Board, Inc.

The training should generally not exceed a total of 1040 full-time hours of actual training (the equivalent of full-time training for size (6) months). Special exceptions to this policy must be approved in writing by the Southern 14 Workforce Investment Board, Inc.

The training program should not be more than six (6) months in length as that indicated there may be too large a gap in the candidate's skill(s) level and employer needs.

The training length may exceed six (6) months if there are extenuating circumstances such as the lengthy illness, plant shutdown, holiday, etc.

The training program cannot be utilized to train new workers with the goal of laying off other employees

- 3) The quality of employer-provided training and advancement opportunities; and

- a. Benchmarks of high-quality employer-provided training should include:
 - a. Direct connection to in-demand skills;
 - b. A structured learning plan;
 - c. Training tied to skills that transfer beyond the employer (e.g., CNC machining, healthcare certifications);

- d. A time-limited, defined training duration;
 - e. Measurable skill gains;
 - f. Employer investment;
 - g. A pathway to unsubsidized employment;
 - h. Wage and working conditions that meet standards;
 - i. Customer tracking; and
 - j. Documentation and accountability.
- 4) Other factors LWIB 26 determines to be appropriate, including but not limited to: the occupation of training, receipt of an industry recognized credential after training, the number of employees participating, the participant's work history, labor market conditions, hourly wage, fringe benefits, promotional opportunities, the career planner's overall training budget, etc.
- b. An employee in OJT may work overtime hours, but overtime hours are not eligible for wage reimbursement. OJT Hours are not reimbursable toward regular orientations or training which are provided to all employees in a given job or worksite.
 - c. Funds provided to employers for OJT must not directly or indirectly assist, promote or deter union organizing.
 - d. WIOA funds may not be used to provide OJT if the business has relocated from a location that resulted in any employee losing his or her job at the original location. In this instance, the business would only be eligible for OJT after they have been operational at the current site for more than 120 days.

OJT Monitoring and Evaluation

- 1. Federal regulations require that each recipient and subrecipient of WIOA funds, including state agencies, Local Workforce Innovation Boards (LWIBs), and contractors, conduct regular oversight and monitoring of their programs and those of their subrecipients.
- 2. The Career Planner must conduct an initial on-site monitoring and/or desk review of the worksite within the first thirty (30) days after the customer begins work, with additional visits scheduled every thirty (30) days to ensure that goals are being met and adherence to this guidance and WIOA law and regulations. This tool is called the On The Job (OJT)/Work Experience (WEX) Local Monitoring Report.
- 3. The Service Provider will evaluate the OJT Worksite utilizing the Work Experience and OJT Pre-Award Survey. It is a pre-evaluation tool to determine the appropriateness of utilizing the worksite for OJTs. This task should be completed by the WIOA Program Manager/Service Provider before the start of the contract.
- 4. Monitoring: Service Providers, Career Planners, and the LWIB are required to perform monitoring of worksites to ensure compliance with project goals and adherence to WIOA law, policies and procedures.
 - 1. Service Provider Monitoring (WIOA Program Manager/Service Provider) should be completed first and is called the Work Experience and OJT Pre-Award Survey. This is a pre-evaluation tool used to determine the appropriateness of utilizing the worksite

for work experiences. This task should be completed by the WIOA Program Manager/Service Provider before the start of the contract.

2. Career Planner Monitoring should be completed every 30 days (or less) for the duration of the contract with the first Monitoring Report to be completed within 30 days of the start date of the contract. This tool is called the On The Job (OJT)/Work Experience (WEX) Local Monitoring Report.
3. LWIB File Monitoring should be completed 1 time after the end of the contract. This tool is called LWIB OJT File Monitoring.
5. An OJT contract may not be written with an employer or worksite that has previously demonstrated a “pattern of failure” as defined by the LWIB.
 1. Such failure may include failing to provide customers with wages, benefits, and working conditions that are equal to those provided to regular employees who have worked a similar length of time and are doing the same type of work.
6. The OJT contract includes the process of removing a worksite that has not met its agreed-upon requirements for the OJT or has exhibited a pattern of failure. The OJT contract determines the following:
 1. What constitutes an employer “exhibiting a pattern of failure”;
 2. Deficiencies or situations that occur within the work experience process;
 3. Corrective action interventions to be used; and
 4. Circumstances under which immediate termination of an agreement will occur.

OJT Documentation (Definitions can be seen above)

- a. Service Provider OJT Procedure and File Checklist
- b. Work Experience and OJT Pre-Award Survey
- c. OJT Contract
- d. Participant Orientation
- e. OJT Outline/Plan
- f. Universal Career Plan
- g. OJT Progress Report and Invoice (mm.dd.yy-mm.dd.yy)
 - a. Participant Time Sheets are included here in Section 4
 - b. A copy of the invoice/pay stub must be submitted each pay period. This shows the OJT Trainee was paid. It will need to accompany the OJT Progress Report and Invoice for reimbursement purposes. This invoice/pay stub should match Section 4 of the OJT Progress Report and Invoice.
- h. On The Job (OJT)-Work Experience (WEX) Local Monitoring Report
 - a. Initial Report is completed within 30 days of the start of the OJT
 - b. All other Reports are completed every 30 days (or less) for the duration of the contract.
- i. LWIA Request for OJT Increase

- a. As needed
- j. Final Cost Report
 - a. This will show the total hours worked and total amount paid and should come from the Service Provider Accounting Package.