



T H R E E R I V E R S

WORKFORCE INVESTMENT BOARD

TRWIB, Inc.

WIA On-the-Job Training (OJT) and Customized Training Policy Program Year (PY) 2009

The Three Rivers Workforce Investment Board (TRWIB) adopts the following policy with respect to the City of Pittsburgh and Allegheny County's WIA & American Recovery and Reinvestment Act (ARRA) OJT and Customized Training programs for PY 2009.

Background

The term **On-the-Job Training** means training by an employer that is provided to a paid participant while engaged in productive work in a job that-

- a. provides knowledge or skills essential to the full and adequate performance of the job;
- b. provides reimbursement to the employer of up to 50 percent of the wage rate of the participant, for the extraordinary costs of providing the training and additional supervision related to the training; and
- c. is limited in duration as appropriate to the occupation for which the participant is being trained, taking into account the content of the training, the prior work experience of the participant, and the service strategy of the participant, as appropriate.¹

The term **Customized Training** means training-

- a. that is designed to meet the special requirements of an employer (including a groups of employers);
- b. that is conducted with a commitment by the employer to employ, or in the case of incumbent workers, continue to employ, an individual on successful completion of the training; and
- c. for which the employer pays for not less than 50 percent of the cost of the training.²

The term **participant** means an individual who has been determined to be eligible to participate in and who is receiving services (except follow up services) under a program authorized by WIA. For an individual to qualify for OJT under the WIA guidelines, he/she will have used at least one intensive service and have been determined to need training to find employment and meet the WIA definition of an Adult or Dislocated Worker.

WIA OJT Requirements

- WIA and ARRA OJT/Customized Training contracts shall not be made with employers who have previously exhibited a pattern of failing to provide OJT participants with

¹ Workforce Investment Act of 1998 (WIA), Section 101 (31)

² WIA Section 101 (8)



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.³

- A WIA or ARRA OJT contract must be limited to the period of time required for a participant to become proficient in the occupation for which the training is being provided. In determining the appropriate length of a contract, consideration should be given to the skill requirements of the occupation, the academic and occupational skill level of the participant, prior work experience, and the participant's individual employment plan.⁴
- When funds are available, WIA or ARRA OJT contracts may be written for eligible employed workers when:
 - a. The employee is not earning a self-sufficient wage⁵ as determined by the TRWIB.
 - b. The OJT relates to the introduction of new technologies, introduction to new production or services procedures, upgrading to new jobs that require additional skills, workplace literacy, or other appropriate purposes identified by the TRWIB.⁶

WIA Customized Training Requirements

- Customized training of an eligible employed individual may be provided for an employer or a group of employers when:
 - a. The employee is not earning a self-sufficient wage as determined by the TRWIB.
 - b. The Customized training relates to the introduction of new technologies, introduction to new production or services procedures, upgrading to new jobs that require additional skills, workplace literacy, or other appropriate purposes identified by the TRWIB.⁷

Assurances

- As a condition of a WIA or ARRA OJT or Customized Training contract, an employer must assure that the training to be provided will be in accordance with WIA 181(a)(1)(A) and 667.272 for wage and labor standards. Worker protection requirements are set forth in WIA Sections 181(a) (1) (A) and (B), (b) (2), (3), (4) and (5) and 188.

³ Federal Register, Friday, August 11, 2000, Part II, Department of Labor, Employment and Training Administration, 20 CFR Part 652 et al., Workforce Investment Act; Final Rules **663.700 (b)**

⁴ 663.700 (c)

⁵ Self-sufficient wage for the current program year.

⁶ 663.705

⁷ 663.720



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Participating employers must agree to cooperate with monitoring efforts as required by WIA legislation and adhere to all other applicable local, state and federal rules and regulations.

- OJT/Customized Training Employers must:
 - Be considered a “High Growth Industry” as defined by the TRWIB
 - Provide Career Paths for Employees
 - Offer a wage that allows the client to meet the WIA Average Wage Gain measure for Adults and/or Dislocated Workers
 - Provide a training outline
 - Meet requirements necessary to contract with the City and/or the County which may vary by WIA.

- Funds provided to employers for OJT or customized training must not be used to directly or indirectly assist, promote or deter union organizing.⁸

- WIA funds may not be used in conjunction with Pennsylvania Department of Education Customized Training Program.

Monitoring

TRWIB’s monitoring of OJT/Customized Training contracts will coincide with the monitoring of Individual Training Accounts (ITAs). All of the OJT/Customized Training contracts for the current program year will be monitored. TRWIB’s OJT/Customized Training monitoring will primarily review: 1) the types of training being provided; 2) the number of participants/employees hired at the conclusion of the training; 3) the hourly wage of the participant/employee upon completion of the training. The City and the County will be asked to randomly select Adult, Dislocated Worker and Rapid Response & ARRA files for the ITA portion of the review.

⁸ 663.730



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ITA and OJT/CUSTOMIZED TRAINING
MONITORING TIMELINE

ACTION	TIME
TRWIB begins monitoring ITA and OJT/Customized Training contracts	Monday May 1, 2010 – Monday, June 30, 2010
TRWIB monitoring of ITA and OJT/Customized Training contracts completed	Wednesday, June 30, 2010
TRWIB reports monitoring findings to Compliance Committee	June 2010 meeting
TRWIB reports monitoring findings to Executive Committee	July 2010 meeting
TRWIB reports monitoring findings to full board	September 2010 meeting
TRWIB reports update on corrective action plans, if applicable, to full TRWIB board	November 2010 meeting