

 <p>A proud partner of the AmericanJobCenter network</p>		<b>POLICY # 13</b>
<b>Title:</b>	<b>On the Job Training-OJT</b>	
<b>Program:</b>	Workforce Innovation and Opportunity Act	
<b>Effective:</b>	October 2, 2021	
<b>Revision #:</b>	6	<b>Original policy date:</b> June 26, 2015

**Purpose:** To establish policy on requirements and benefits available under Workforce Development Board Mid-Ohio Valley funded OJT

**References:** Workforce Innovation and Opportunity Act section 101 (44), Section 134 (c) (3), 20 CFR 680.700-750, 20 CFR 683.200(g) and WFWV Guidance No. 10-21; This policy is subject to any exceptions authorized by the State of WV. Workforce WV WIOA Policy No. 03-16

**Background:** The Workforce Innovation and Opportunity Act provides for on-the-job training activities. OJT is training provided by an employer in the public, private non-profit, or private sector. A contract may be developed between the employer and the WDB in exchange for the reimbursement of 50 or 75 percent of the wage rate to compensate for the employer's extraordinary costs of providing the training and supervision related to the training.

**Policy:** Workforce Development Board Mid-Ohio Valley will authorize the use of WIOA or other monies to fund On the Job Training within the region. The amount of funding to be obligated is determined as part of the budget process each fiscal year, according to DOL received funding.

- All WIOA Adults, Dislocated Workers, and Youth applying for OJT must pass drug testing as required in guidelines outlined in WFWV Guidance No 15-12 Change 1, to be enrolled in On the Job Training.
- Funds must be used only on individuals who meet priority of service requirements in the Workforce Innovation and Opportunity Act and outlined in WDB MOV Policy #09.

*Other guidelines related to On the Job Training contracts are in **Attachment 1**.*

**Action:** The Workforce WV Center shall inform individuals applying for or receiving services under Title I of the Workforce Innovation and Opportunity Act of their rights under this policy. All recipients and sub-recipients of Workforce Innovation and Opportunity Act funds through Region 4 shall be required to verify compliance with this policy. Failure to follow this policy shall result in disapproval of funds.

**Expiration Date:** This policy shall be in effect until revised or canceled by the Workforce Development Board Mid-Ohio Valley.

## **ATTACHMENT 1**

### **On-the-Job Training (OJT)**

#### **Definition:**

On-the-Job Training means training by an employer that is provided to paid participants 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. Provides reimbursement to the employer of 50 or 75 percent of the wage rate of the participant, for the extraordinary costs of providing the training and supervision related to the training; and,
3. Is limited in duration as appropriate to the occupation for which the participant is being trained, considering the content of the training, the prior work experience of the participant, and the service strategy of the participant, as appropriate.

#### **Purpose:**

- OJT focuses on jobs involving the introduction of new technologies, production or service procedures; upgrading to new jobs that require additional skills or workplace literacy; or other appropriate purposes identified by the WDB MOV. The employer can be in the public, private non-profit or private sector with emphasis on private sector opportunities.
- OJT is designed primarily for the individual who does not have the related education, training or work experience required for the job. It may be provided in various occupational areas and often lowers the employer's risks in hiring and training new personnel. For the participant, OJT allows him/her to gain the knowledge and skills necessary to perform a job after he/she has been hired.

#### **Training guideline:**

- Training opportunities should be encouraged in occupations providing upward mobility and development of new careers.
- Authorized OJT training for a participant shall be limited to a period of time generally required for the acquisition of skills needed for the position within a particular occupation. In determining the period generally needed for the acquisition of necessary skills, consideration shall be given to skill requirements of the occupation, employer training plans and contents, and the participant's education, prior work experience and Individual Service Strategy. Recognized reference materials including but not limited, the "Dictionary of Occupational Titles" and/or O\*Net information should be used in identifying the skill levels of the occupation. NOTE: If OJT funding is available from sources other than local WIOA funds, training hours and reimbursement rates will be determined based on the terms of the particular grant.
- Wages for OJT opportunities should be a minimum of \$13.50/hour.
- Training/reimbursement time for OJT opportunities shall have an SVP Level of 4 or higher.

- Maximum hours of training reimbursement shall be 480 hours, in limited training situations for non ATA apprenticeship participants, reimbursement may be up to a maximum of 1000 hours per participant. This will be for training in positions that require 1000 or more hours to become certified in the specific job/industry. An example of this would be Wastewater Treatment certifications. Any non-ATA OJT request to exceed 480 hours must be approved by the WDB-MOV director.
- The training/reimbursement rate will be based on the size of the employer at the specific location of training as follows:

<b>Employer Size</b>	<b>Maximum Reimbursement Rate</b>
1-99 employees	75% of wages
100+ employees	50% of wages

- The training plan for each individual must document how current skills were evaluated and how the training length was determined based on existing skills.
- OJT contracts may be written for eligible employed workers under the following conditions:
  - The employee is not earning a self-sufficient wage (based on WDB MOV Priority of Service policy) and training will lead to a wage increase or
  - The employed individual is facing dislocation in the current job and additional training will lead to job retention for the employee and
  - The training relates to the introduction of new technologies, new production or service procedures, upgrading to new jobs that require additional skills, and/or workplace literacy.

**Conditions under which training shall not be approved:**

- Seasonal, intermittent or temporary employment
- Employment that is less than 32 hours per week
- Jobs which would result in the displacement of any currently employed worker, including partial displacement such as a reduction in amount of non-overtime work.
- Jobs that, if filled, would replace any worker who is on layoff or involved in a labor dispute.
- Jobs with an employer who has exhibited a pattern of failing to provide OJT participants with continued long-term employment as regular employees with wages and working conditions at the same level as similarly situated employees.
- No individual may be placed in an employment activity if a member of that person's immediate family is directly supervised by or directly supervises that individual." For the purpose of this policy, 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, step-parent, step-child, grandparent, and grandchild.

**The Employer Agrees to:**

- Hire a participant who does not have all the skills necessary to successfully perform the job.
- Train the participant for the job through a structured approach, monitor progress of participant and contact WFWV immediately with performance issues.

- Retain the participant at the end of training barring a change in business conditions or participant performance issues.
- Be in compliance with all appropriate state and federal tax requirements (WC, UI, etc.);
- Must have 3 permanent employees for every one OJT trainee. (Waiver may be granted by WDB).
- Agree to provide the same benefits and working conditions as those similarly employed at the company.
- Abide by applicable Equal Opportunity, OSHA and health regulations.
- Provide paystubs for invoice reimbursement of wages and the DOL required employment outcomes.