

REGION VI WORKFORCE INVESTMENT BOARD

CUSTOMIZED TRAINING POLICY

- 1. Purpose:** To establish policy on requirements and benefits available under Region 6 Workforce Investment Board Adult and Dislocated Worker funded Customized Training Activities.
- 2. References:** WIA sections 101(31) (C), 134 (d)(4)(ix), and 101 (9); and 20 CFR 663.700 through 20 CFR 663.710; and GWIO Policy Letter Number 15-00, dated 10-31-2000.
- 3. Background:** The Workforce Investment Act provides for customized training activities. Customized Training is training provided by an employer or group of employers in the public, private non-profit, or private sector. A contract may be developed between the employer and the local program that provides for funding assistance in the form of a reimbursement to an employer of not more than 50 percent of the employer's cost of training WIA eligible participants to compensate for the employer's extraordinary costs of training individuals.
- 4. Policy:** Region VI Workforce Investment Board will authorize the use of WIA Adult and Dislocated Worker monies to fund Customized Training within the region in response to the need of an employer or group of employers to introduce workers or potential workers to (1) new technologies, (2) new production or service procedures, (3) upgrading employee skills required for new jobs, or (4) other appropriate workforce development purposes as defined by the Region VI WIB. Employers will be reimbursed by Region VI WIB for not more than 50% of the employer's Customized Training costs (match can be cash or negotiated in kind) associated with individuals who have been certified WIA eligible through a Region VI WORK4WV Career Center. The amount of funding for Customized Training to be obligated will be determined as part of the budget process each fiscal year.
- 6. Expiration Date:** This policy shall be in effect until revised or cancelled by the Region VI Workforce Investment Board.

Customized Training

Definition

- * The term Customized Training means training
 - A. that is designed to meet the special requirements of an employer (including a group of employers);
 - B. that is conducted with a commitment by the employer to employ or, in the case of current employees, continue to employ an individual on the successful completion of the training and
 - C. for which the employer pays for not less than 50% of the cost of the training (match can be cash or negotiated in kind)

Purpose

* Customized Training should focus 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 Region VI Workforce Investment Board. The employer can be in the public, private non-profit or private sector with an emphasis on private sector opportunities.

* Customized Training is designed primarily for the individual who does not have the related education, training or work experience required to obtain a job or retain employment. It may be provided in various occupational areas and lowers the employer's risk in hiring and training new personnel and or retaining current employees. For the participant, Customized Training allows him/her to gain the knowledge and skills necessary to perform a job after he/she has been hired and or to retain their current job.

Training Guidelines

* Training shall be for an occupation for which there is a demand in the area served or for occupation(s) determined to be in sectors of the economy having a high potential for sustained demand or growth and or job retention. Region VI defines a "Demand Occupation" as:

- a. An occupation showing a minimum of 2% growth rate as defined by the WV Bureau of Employment Programs Occupational Projections list; or
- b. An occupation with a minimum of 25 projected openings in this region or area of expected employment; or
- c. An occupation demonstrating documentation of support employment following completion of training.

* Training opportunities should be encouraged in occupations providing upward mobility and development of new careers and/or job retention.

* Authorized Customized 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. The training plan for each individual must document:

- A. How training was justified
- B. How current skills were evaluated
- C. How the training length was determined based on existing skills.

* Customized Training contracts may be written for current employees under the following conditions, which include, but are not limited to:

- A. The employee is not earning a self-sufficient wage as defined by the Region VI WIB;**
- B. The employed individual is facing dislocation in the current job and additional training will lead to job retention for the employee; and**
- C. 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.**

* Employers wishing to utilize customized training to avoid the dislocation of current employees must provide appropriate documentation at the time of application for Customized Training. Appropriate documentation may include, but not be limited to, certification by the employer of the requirement to attend training by the employees in order to retain their employment. Affected employees must sign a disclaimer attesting to their knowledge of the above-mentioned employer required training. Should current employees become dislocated, the self-sufficiency guidelines of Region VI WIB would have been met.

- * The employer shall select the training provider and have the curriculum approved, if it is not already on the approved Region VI WIB provider list, as a part of the application process. Training services can be provided through the following:
 - A. Community colleges, school districts, area vocational technical centers, state universities, or licensed and certified private institutions and community based organizations.
 - B. Conducting the training at the business's own facility, at the training provider's facility or at a combination of sites.
 - C. Instruction provided by either full or part-time educators or professionals from the business
 - D. Online and/or distance learning courses only under certain circumstances – will be decided upon on a case-by-case basis.

*** The employer requesting Customized Training assistance must be in good standing with the West Virginia State Unemployment Insurance and Worker's Compensation systems. The employer must also be in compliance with all federal, West Virginia state and local (county/municipal) tax laws and current with all federal, West Virginia state, and local (county/municipal) taxes payable by the employer to those governmental bodies.**

- * The Region VI WIB will give extra consideration to employers who:
 - A. Commit to backfilling vacated positions with WORK4WV customers.
 - B. Commit to a minimum 3% wage increase after 6 months retention of trained employees

If awarded funding for Customized Training, the employer agrees to:

- * Hire a participant who would not normally qualify for a particular job due to his/her lack of specific occupational skills required for a position;
- * Retain a current employee who is at risk of facing dislocation from their current job due to his /her lack of workplace literacy and or specific occupational skills required for new technologies, new production or service procedures.
- * Train the participant for the job through a structured approach;
- * Retain the participant at the end of training;
- * Be in compliance with all appropriate state and federal laws as required (WC, UI, OSHA, etc.)
- * Agree to provide the same benefits and working conditions as those similarly employed at the company.

Conditions under which training may not be approved (subject to exceptions through review by the Region VI WIB staff on a case by case basis):

- * Seasonal, intermittent or temporary employment
- * Employment that is less than 32 scheduled work hours per week (full time)
- * Jobs that pay less than minimum wage
- * Occupations that are not demand occupations as identified by Region VI Workforce Investment Board
- * 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, wages, or employment benefits.
- * Jobs that, if filled, would replace any worker who is on layoff or involved in a labor dispute.
- * Jobs that would impair an existing contract for services or collective bargaining agreement and no such activity that would be consistent with the terms of a collective bargaining agreement shall be undertaken without the written concurrence of the labor organization and the employer concerned.
- * Jobs that require licensing (except a driver's license) as a prerequisite to hiring. (Waivers may be granted on a case-by-case basis.)

* Jobs with an employer who has exhibited a pattern of failing to provide WIA funded training participants with continued long-term employment as regular employees with wages and working conditions at the same level as similarly situated employees.

* The employer has relocated to the region from another location in the United States within 120 days **and if** the relocation resulted in jobs lost by employees at the original location.

Funding Award Guidelines:

* Employers, at a minimum, must provide a 50% matching contribution to the training project. The match may be in the form of cash or negotiated in-kind as approved by the Region VI WIB.

* No reimbursements will be given for employer's training costs incurred prior to the approval of the training by the Region VI WIB.

* Employers approved for funds must sign an agreement with the Region VI WIB and or the West Virginia Development Office to complete the training project as proposed in their application.

* Region VI WIB retains the right to terminate or reduce funding, in whole or in part, if sufficient local, State or Federal funds are not available.

Reporting Requirements

* Each funded employer will submit to the Region VI WIB the following:

- a. Data on each trainee including: name, Social Security number, date training started and ended, total number of hours of training completed, date hired and starting wage. *In the case of current employees, additional data to submit includes job title before and after training, wage before and after training, and whether the trainee was advanced to a higher level .*
- b. Quarterly progress and financial reports;
- c. An annual progress report identifying major activities and successes;

Reimbursable Training Expenses: ALL REIMBURSEMENTS MUST BE PRE-APPROVED

* Instructors'/trainers salaries (actual time of instruction/training) and travel

* Curriculum development

* Tuition / delivery of training costs

* Textbooks / manuals

* Materials, supplies, and training equipment

* Trainee wages **only under certain conditions** – to be determined on a case by case basis and dependent upon **eligibility** of trainees (i.e. – adult or dislocated workers, etc.) and when training happens (i.e. - pre-hire or post- hire training, etc.).

* Trainee travel time **only under certain conditions** – to be determined on a case by case basis and dependent upon **eligibility** of trainees (i.e. – adult or dislocated workers, etc.) and when training happens (i.e. – pre-hire or post-hire training, etc.)

Non-Reimbursable Training Expenses:

* Purchase of capital equipment (production equipment)

Expense Reimbursement

Expenses of training may be funded through one or a combination of the following methods as negotiated with the employer in the Customized Training contract:

- * The employer submits for reimbursement of approved costs an invoice form by the 15th of the month following any month in which approved Customized Training activities were held, along with supporting documentation, to the Region VI WIB for reimbursement of no more than 50% of the approved training costs. The amount of reimbursement will not exceed the approved costs as specified in the Customized Training contract.
- * Up to one third of the approved budget can be expended upon execution of agreement to develop curriculum, purchase training materials and equipment, and other related training startup costs. An additional one-third may be invoiced upon completion of one-half of the training, based upon the approved curriculum parameters (for larger projects a quarterly or monthly reporting and invoicing procedure may be negotiated.) The remainder of the project-approved expenditures will be paid within 30 days of the submission of final invoice, following project completion.
- * All expenses will be reimbursed by the WVDO directly to the employer when an agreement has been jointly signed by the employer, the WVDO, and the Region VI WIB. The WVDO will then invoice the Region VI WIB for their agreed-upon portion of the training expenses to be paid to the WVDO.