



# Mississippi Valley Workforce Development Board

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## Operations Committee Meeting Agenda

Wednesday, January 12<sup>th</sup>, 2022, at 4:00 p.m.

Join Zoom Meeting

<https://us02web.zoom.us/j/82221712712?pwd=cUtrRIBTVmt1UkkvNmhaMC94aXRYZz09>

Meeting ID: 822 2171 2712

Passcode: 907927

One tap mobile: 1-312-626-6799

Called to Order	Matthew Nicol
Roll Call	Phyllis Wood
*Excused Absences	Matthew Nicol
*Approval of Agenda	Matthew Nicol
*Approval of Previous Meeting Minutes	Matthew Nicol
<b>STANDING REPORTS</b>	
Adult/DW/RR December Report	Kendra Schaapveld
Title III Reports	Carolyn Farley
One-Stop Operator Report	Bob Ryan
*Individual Career Services Policy	Miranda Swafford
OJT 75% Tool	Miranda Swafford
Other Business	
Public Comment	
Adjourn	Matthew Nicol

\*Items Requiring a Vote, \*\* Items Requiring a Roll Call Vote

### Accommodations

Accommodations are available upon request for individuals with disabilities. If you need an accommodation, please contact: Miranda Swafford [director@mississippivalleyworkforce.org](mailto:director@mississippivalleyworkforce.org) or at 319-759-8980.



## Mississippi Valley Workforce Development Board

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### **Operations Committee Meeting**

Thursday, December 9th, at 4:00 p.m., via Zoom

**Members Present:** Matthew Nicol, Ryan Drew, Carolyn Farley, and Scott Schneider

**Members Absent:** Tim Gobble, Kirby Phillips, and Jeremy Ritchie

**CEOs Present:** Brinson Kinzer

**Staff Present:** Phyllis Wood, Executive Assistant

**Service Provider Staff Present:** Kendra Schaapveld – Project Director, Cherisa Price-Wells – Regional Project Director (late), Tabytha Seigfried – Quality Assurance Specialist, Shannon Weaver – Operations Supervisor

**One-Stop Operator:** Robert Ryan

**Guest:** None

### **CALLED TO ORDER**

Nicol called the meeting to order at 4:02 p.m.

### **EXCUSED ABSENCES**

Gobble, Phillips, and Ritchie absences excused through motion by Drew, seconded by Schneider, motion carried.

### **QUORUM**

The committee had a quorum to conduct business.

### **APPROVAL OF AGENDA**

Farley made a motion to approve the agenda, seconded by Drew, motion carried.

### **APPROVAL OF PREVIOUS MINUTES**

Drew made a motion to approve the previous meeting minutes, seconded by Farley, motion carried.

### **ADULT/DW/RR SEPTEMBER REPORTS**

Schaapveld reported that during the month of November there were 250 participant contacts. There was \$9,324 spent on transitional job wages (TJB) and \$38,686 was written for ITA school tuition. Inventory includes the purchase of a Laminator for \$110. There were no WARN notices this month. Enrollments for November included 11 Adults, 9 DW and 9 NDWG. The average case load was 44 for Adult and 27 for DW. Five participants started OJTs and one started WBL. Outcomes include three participants entered unsubsidized employment, four earned their CDL, and five start OST. Legacy in Action customer satisfaction rate was 92.91%.

### **TITLE III REPORTS**

Farley reviewed the Title III October and November reports which listed August and October unemployment rates for the counties in MVWA with Des Moines County highest at 4.7% with the overall trend moving lower. The report also listed the numbers in the labor force and unemployed for the MVWA as well as data broken down by age for each county. Farley went on to report the Wagner-Peyser program enrolled 100 individuals for Davenport and a total of 42 for Burlington. Farley shared success stories of two incarcerated individuals who worked with Terry Zmolek. A.G. wanted to continue his education and Zmolek assisted with FASFA and A.G. is scheduled to take the PCAT in February 2022. P.B. worked with Zmolek to conduct job search, resume writing, and attended a career fair at the Mount Pleasant Correctional Facility and upon release started at Hy-Vee Distribution in Des Moines on 6/27/21. P.B. is still working there and enrolled at DMACC working on high school completion and has obtained his driver's license. Farley shared information about The Employer's Council of Iowa (ECI), an advisory group to guide IWD's business focus. These events can be attended by anyone but are geared toward human resource professionals. Nicol asked Farley if she was able to find any metrics or numbers on individuals who have chosen to leave the labor force. Farley has not found any numbers or ways to accurately compute how many people who left the workforce. Farley has investigated how individuals are counted into the unemployment rate. In addition to individuals collecting unemployment, IWD does a monthly survey and if a household reports there is a person looking for employment, they are included in the unemployment rate. However, if an individual collecting UI benefits reports income, they are not included in the unemployment rate.

### **ONE-STOP OPERATOR REPORT**

Ryan reported activity for October and November with three job fairs serving 79 job seekers. Ryan asked the business services team to start reaching back out to employers at these job fairs to get feedback on actual hires. Burlington center hosted 8 hiring events and Davenport hosted 14 hiring events. Burlington has hosted 8 different workshops serving 93 participants and Davenport hosted 7 different workshops serving 100 participants. Burlington has served 795 individuals (~20/workday) and Davenport has served 1,196(~30/workday). Nicol shared the difference experiences his onsite person has at each center suggesting the Davenport center to maximize the touchpoints and visibility of the businesses onsite. Nicol expressed Burlington has been really helpful in directing everyone to introduce themselves to his onsite representative and would like to see Davenport replicate the Burlington model and give onsite businesses more visibility.

### **PII POLICY**

Nicol stated the policy is a required policy and it deals with storage and access to personally identifiable information. Nicol did question who administers the form and who stores that and where? Nicol was concerned that when offsite if our devices have VPN or encryption to access the data. Farley shared that anyone accessing the IowaWORKS.gov data must sign in through a virtual machine using credentials. Schneider said the same is true for the college. Farley made a motion to approve the policy as written to send to the Executive Committee for review, seconded by Schneider, motion carried.

### **MONITORING**

Schaapveld reviewed the monitoring report received from IWD. The review resulted in three findings and two areas of concern. None are super serious and overall, the monitoring went really well. Nicol asked about how a participant raises a complaint. Schaapveld responded that Title I has a grievance process. Farley explained the Title III complaint procedure is similar to Title I's but once a formal complaint is established there is a log to track the complaint and it is forwarded to Jamie Bullock, Equality and Diversity Officer to be investigated. Schaapveld is working with Swafford to put together our responses and action plans.

### **MEETING TIME**

Nicol explained the CEOs wanted committees to discuss if the days and times best meet their members. Wood will send a survey if there is a preference for Wednesdays at 4pm or Thursdays at 4pm is the best time.

### **OTHER BUSINESS**

Nicol shared TPI Composites in Newton is laying off 700 people and there was 70 business in the 7am -11am timeslot lined up to meet with employees at DMACC with IowaWORKS. The company called the employees into work and only about 50 people showed up and it was mostly spouses. Advised members that we need to ensure we have commitment from the employer when hosting these events and keep the TPI event in the back of their mind so not to repeat bad practices.

### **PUBLIC COMMENT**

There were no public comments.

### **ADJOURNED**

Drew made a motion to adjourn the meeting, seconded by Farley, motion carried, Nicol adjourned the meeting at 5:08 p.m.



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## MVWA Title III Operations Committee Report January 2022

### MVWA 2021 Unemployment Rate (Not Seasonally Adjusted)

November 2021	
United States	
Iowa	3.7%
Des Moines Co.	4.3%
Henry Co.	2.5%
Lee Co.	4.0%
Louisa Co.	2.7%
Muscatine	2.9%
Jackson	2.9%
Clinton	3.5%
Scott	3.5%

### MVWA 2021 Labor Force (# In Labor Force/Unemployed)

November 2021	
United States	
Iowa	1,660,900/61,600
Des Moines Co.	17,890/780
Henry Co.	9,770/250
Lee Co.	15,160/600
Louisa Co.	5,910/160
Muscatine	20,010/570
Jackson	10,460/300
Clinton	21,470/750
Scott	86,400/3,000

### Enrolled Individuals - By Region

- Report Type: Title III - Wagner-Peyser (WP)
- Region/LWIA Name: Mississippi Valley LWDA
  - One Stop Location: Burlington
  - Date Filter: Participation Date
    - Start Date: 12/1/2021
    - End Date: 12/31/2021
- Report Run Time: 1/7/2022 11:21:10 AM

Region	Total	% Total
<a href="#">Mississippi Valley LWDA</a>	35	100.00 %
Region	Total	% Total
<b>Total Rows: 1</b>		

### Enrolled Individuals - By Office

- Report Type: Title III - Wagner-Peyser (WP)
- Region/LWIA Name: Mississippi Valley LWDA
  - One Stop Location: Fort Madison
  - Date Filter: Participation Date
    - Start Date: 12/1/2021
    - End Date: 12/31/2021
- Report Run Time: 1/7/2022 11:22:43 AM

Office	Total	% Total
<a href="#">Fort Madison</a>	2	100.00 %
Office	Total	% Total
<b>Total Rows: 1</b>		

### Enrolled Individuals - By Office

- Report Type: Title III - Wagner-Peyser (WP)  
- Region/LWIA Name: Mississippi Valley LWDA  
- One Stop Location: Davenport  
- Date Filter: Participation Date  
- Start Date: 12/1/2021  
- End Date: 12/31/2021  
- Report Run Time: 1/7/2022 11:23:39 AM

Office	Total	% Total
<a href="#">Davenport</a>	99	100.00 %
Office	Total	% Total
Total Rows: 1		

### Updates:

Re-Employment Case Management is officially rolling out this month. This is a state initiative that works with the federal RESEA program. RCM engages an unemployment claimant with the local AJC on the first week they file for unemployment benefits.

The purposes of RCM and RESEA are as follows:

1. Reduce UI duration through improved employment outcomes.
2. Strengthen UI program integrity.
3. Promote alignment with the vision of the Workforce Innovation & Opportunity Act.
4. Establish RESEA/RCM as an entry point to other workforce system partners.

These programs will have weekly requirements in addition to the work searches needed to collect unemployment benefits. The requirements are things such as pre-employment workshop attendance, resume reviews, and mock interviews.

Work search requirement changes also become effective this month. Work searches increase from a requirement of two per week to four per week (a minimum of 3 applications must be part of the required 4).

There will be a statewide ECI session on Diversity and Inclusion in the Workplace on February 3, 2022, from 11:30 – 12:30. HRCI and SHRM continuing education credits will be available. The presenter is Saul Grant, President and Owner of Growing Forward Innovations.

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One-Stop Operator  
December 2021

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### December Job Fairs and Hiring Events

Date	Event	Location
12/03	Whirlpool Hiring Event	Davenport IowaWORKS
12/07	Aerotek Hiring Event	Davenport IowaWORKS
12/08	HNI Hiring Event	Davenport IowaWORKS
12/10	Whirlpool Hiring Event	Davenport IowaWORKS
12/14	Quad Cities Success Fair	St. Ambrose Univ.
12/15	HNI Hiring Event	Davenport IowaWORKS
12/16	HNI Hiring Event	Burlington IowaWORKS
12/17	Whirlpool Hiring Event	Davenport IowaWORKS
12/21	Aerotek Hiring Event	Davenport IowaWORKS

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### MVWA December Workshops

Workshop	Burlington	Davenport
Resumes	2	2
Job Search	2	9
Interviewing	1	13
Career Interest	0	13
Digital Literacy	0	0
Personal Growth	2	3
Work Readiness	1	0
Labor Mkt. Info.	1	0
Unemployment	0	0
Job Club	7	39
Other*	0	30

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### Upcoming January

01/05	HNI Hiring Event	Davenport IowaWORKS
01/06	HNI Hiring Event	Burlington IowaWORKS
01/07	Whirlpool Hiring Event	Davenport IowaWORKS
01/11	QPS Hiring Event	Davenport IowaWORKS
01/11	SEIRMC Hiring Event	Burlington IowaWORKS
01/12	HNI Hiring Event	Davenport IowaWORKS
01/13	Aerotek Hiring Event	Davenport IowaWORKS
01/14	Whirlpool Hiring Event	Davenport IowaWORKS
01/19	HNI Hiring Event	Davenport IowaWORKS
01/20	HNI Hiring Event	Burlington IowaWORKS
01/21	Whirlpool Hiring Event	Davenport IowaWORKS
01/26	HNI Hiring Event	Davenport IowaWORKS
01/28	Whirlpool Hiring Event	Davenport IowaWORKS

Report Date: 1/14/2022 10:32 AM

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### VOS Numbers Burlington

Report Date: 1/14/2022  
Region/Local: Mississippi Valley L/DEA  
Office: Burlington  
Start Date: 12/1/2021  
End Date: 12/31/2021  
Report Run Time: 14:02:02 12/13/2021

Office	Individuals	%	Veterans	%	Language
Burlington	56	100.0%	29	51.8%	0
File of Claim / Questions	23	41.1%	17	31.1%	0
Unemp Other	6	10.7%	2	3.7%	0
File Temporarily Unemployment Claim	16	28.5%	4	7.2%	0
I am here to see a specific staff member	6	10.7%	4	7.2%	0
HQDC	1	1.8%	0	0.0%	0
RESEA-Appointment	2	3.6%	0	0.0%	0
RESEA-More	1	1.8%	0	0.0%	0
JAC-Interview	1	1.8%	0	0.0%	0
Find a job	21	37.5%	2	3.6%	0
Hiring Event	1	1.8%	0	0.0%	0
<b>Total</b>	<b>56</b>	<b>100.0%</b>	<b>29</b>	<b>51.8%</b>	<b>0</b>

20 business days in December  
546 Individuals = 27/day

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### VOS Numbers Davenport

Report Date: 1/14/2022  
Region/Local: Mississippi Valley L/DEA  
Office: Davenport  
Start Date: 12/1/2021  
End Date: 12/31/2021  
Report Run Time: 14:02:02 12/13/2021

Office	Individuals	%	Veterans	%	Language
Davenport	384	100.0%	88	23.2%	0
RESEA-More	1	0.3%	0	0.0%	0
Find a job	81	21.1%	11	2.9%	0
File of Claim / Questions	89	23.2%	14	3.7%	0
I am here to see a specific staff member	89	23.2%	14	3.7%	0
HQDC-Interview	1	0.3%	0	0.0%	0
Mock Interview	1	0.3%	0	0.0%	0
File Temporarily Unemployment Claim	68	17.7%	4	1.1%	0
Unemp Other	68	17.7%	4	1.1%	0
RESEA-Appointment	89	23.2%	0	0.0%	0
RESEA-Interview	1	0.3%	0	0.0%	0
Hiring Event	89	23.2%	2	0.5%	0
JAC-Interview	1	0.3%	0	0.0%	0
JAC-Counselor	1	0.3%	0	0.0%	0
RESEA-Event	1	0.3%	0	0.0%	0
Re-RESEA-Input	1	0.3%	0	0.0%	0
Essential Tools for Job Seekers Workshop	1	0.3%	0	0.0%	0
<b>Total</b>	<b>384</b>	<b>100.0%</b>	<b>88</b>	<b>23.2%</b>	<b>0</b>

20 business days in December  
934 Individuals = 47/day

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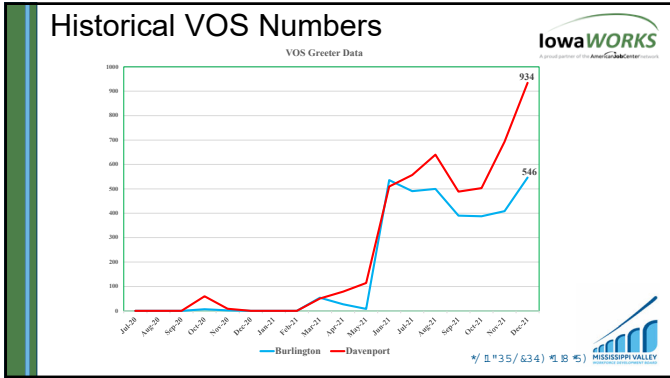
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### Facebook December

Facebook Page	Followers	Average Daily Post Reach*
Burlington	1,637	76
Davenport	880	170
Maquoketa	78	3
Muscatine	68	NA
Clinton	63	NA
Fort Madison	63	NA
Keokuk	44	NA

\*Post Reach: The number of people who saw any of your posts at least once

Logo: IowaWORKS, MISSISSIPPI VALLEY

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## Mississippi Valley Workforce Development Board

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### **Individualized Career Services**

#### **Approved:**

#### **Effective Date:**

Individualized career services must be provided to participants after American Job Center (AJC) staff determine that such services are required to retain or obtain employment. These services involve significant staff time and customization to each individual's needs, and generally will be provided by staff funded by WIOA Title I programs. However, it may also be appropriate for staff funded by WIOA Title III Wagner-Peyser Employment Service to provide some of these services.

The following individualized career services must be made available if determined to be appropriate in order for an individual to obtain or retain employment:

- Comprehensive and specialized assessments of the skill levels and service needs of adults and dislocated workers, which may include:
  - diagnostic testing and use of other assessment tools; and
  - in-depth interviewing and evaluation to identify employment barriers and appropriate employment goals
- Development of an Individual Employment Plan (IEP), to identify the employment goals, appropriate achievement objectives, and appropriate combination of services for the participant to achieve his or her employment goals, including the list of, and information about, the eligible training providers
- Group counseling
- Individual counseling
- Career planning
- Short-term pre-vocational services including development of learning skills, communication skills, interviewing skills, punctuality, personal maintenance skills, and professional conduct services to prepare individuals for unsubsidized employment or training
- Internships and work experiences that are linked to careers
- Workforce preparation activities
- Financial literacy services
- Out-of-area job search assistance and relocation assistance
- English language acquisition and integrated education and training programs

## **Assessments**

Assessments may include but are not limited to interviews, observations, NCRC, TABE, CASAS or other reliable career assessment tools as well as an in-depth review of work and educational history. The assessment must be thorough enough for the case manager and participant to develop an appropriate IEP. Once developed, IEPs are to be reviewed and updated on a regular basis, to document progress and identify new needs.

To determine if individualized career services would be appropriate, a new assessment, interview or evaluation of a participant may not be required. It is allowable to use a recent assessment of the participant completed by another education or training program. Such assessments must have been completed within one year prior to enrollment.

## **Assessment Interpretation**

Case managers should become familiar with the types of assessments administered to customers and should have a solid understanding of the results and what they mean. Case managers should also be prepared to explain the assessment results to the customer in a meaningful way, rather than just briefly covering the data or numbers.

## **Reasonable Accommodations**

Under Section 188 of the Workforce Innovation and Opportunity Act and related regulations, providers must provide reasonable accommodations to qualified individuals with disabilities, unless providing the accommodation would cause undue hardship. No qualified individual with a disability may be excluded from participation in, or be denied the benefits of a recipient's service, program, or activity or be subjected to discrimination by any recipient because a recipient's facilities are inaccessible or unusable by individuals with disabilities.

## **Equal Opportunity and Nondiscrimination Statement**

All Recipients, and Sub recipients/Sub grantees must comply with WIOA's Equal Opportunity and Nondiscrimination provisions which prohibit discrimination on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, political affiliation or belief, or, for beneficiaries, applicants, and participants only, on the basis of citizenship status or participation in a WIOA Title-I financially assisted program or activity.



## Mississippi Valley Workforce Development Board

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### **On-the-Job Training Funding Level Checklist**

1. Does the individual have multiple barriers to employment?
2. Does the participant have a short work history?
3. Does the business employ under 200 employees?
4. Has the business successfully placed OJT's in the past?
5. Is the position in an in-demand industry in the local area?
6. Does this OJT have a starting wage of at least \$15.00 an hour?
7. Is there sufficient WIOA funding available?
8. Do you want to allow reverse referrals to be reimbursed up to 75%?



# Mississippi Valley Workforce Development Board

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

**Amended Date:** January 25, 2021

**Approved Date:** September 28<sup>th</sup>, 2020

**Effective Date:** July 1, 2020

### **Purpose**

This policy establishes requirements to operate the On-the-Job Training (OJT) program under the Workforce Innovation and Opportunity Act (WIOA) in the Mississippi Valley Workforce Development Area (MVWA).

### **Definition**

On-the-Job Training (OJT) is training by an employer that is provided to a paid participant while engaged in productive work to develop specific occupational skills or obtain specialized skills required by an individual employer that the participant does not already possess.

OJT is a “hire first” program; the OJT participant becomes an employee of the company at the start of the training program. The employer is required to certify the intention to retain the OJT participant after the reimbursed training period if the OJT participant accomplished the specific occupational skills to be learned as stated in the OJT contract. OJT contracts can be written with employers from the public, private non-profit or private-for-profit business sectors.

### **Priority of Services**

Priority of Service will be followed as defined in the MVWA Local Plan.

### **OJTs for Employed Workers**

OJT can also be provided for currently employed individuals not earning a self-sufficient wage or not earning wages sufficiently comparable to or higher than wages from previous employment. OJTs may be written for employed workers when the following additional criteria are met:

- The employee is not earning a self-sufficiency wage as defined in the local plan; and
- The OJT relates to the introduction of new technologies, introduction to new production or service procedures, upgrading to new jobs that require additional skills, workplace literacy or other appropriate purposes identified in the local plan.

## **OJTs and Registered Apprenticeship**

OJT contracts may be written with registered apprenticeship programs or participating employers in registered apprenticeship programs for the OJT portion of the registered apprenticeship program

### **OJT Employer Eligibility**

**Temporary Staffing Agencies:** OJTs may not be written with temporary staffing agencies or employee-leasing firms for positions that will be "hired out" to other employers for probationary seasonal, temporary or intermittent employment. The only exception is when the OJT position is with the staffing agency itself and not a position that will be "hired out."

**Reverse Referrals:** In situations where an employer refers an individual to WIOA Title I services for eligibility determination with the intent of hiring that individual under an OJT contract, the individual referred to the program may be enrolled in an OJT with the referring employer only when the below is true. Board members and committee members are eligible to provide reverse referrals taking into consideration that meeting eligibility requirements and consumer choice are still required.

- The referring employer has not already hired the individual.
- An objective assessment and an IEP or ISS have been completed which support the development of an OJT with the referring employer.

**Participant Supervision:** Potential employers must be able to demonstrate their ability to train participants. The person(s) providing instruction and guidance to the OJT participant must be capable of delivering instruction consistent with the employer's needs and must have the time away from his/her other duties to provide the needed training and supervision. For example, a truck driving position where the driver drives alone or without immediate supervision or training would not be appropriate for OJT. To document this, the WIOA service provider case manager will document this in the participant's training plan.

**Employer's Performance:** Service provider's may not form agreements with OJT employers who, in two or more previous agreements, which were active within the preceding 18 months, failed to:

1. Retain at least 75% of the participants trained (excluding those who voluntarily resigned, were terminated for cause in accordance with the employer's personnel practices or released due to unforeseen business reversals); and
2. Provide continued long-term employment for those who were retained (6 months or longer upon completion of agreement) with wages, benefits (including scheduled pay increases and health insurance), and
3. Provide working conditions to participants 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.

Employers who violate the retention elements as listed above are considered to be in violation of WIOA and may not be considered for an agreement for a period of 12 months from the ending date of their last agreement. MVWA may reconsider the employer for participation in the program if they can demonstrate they have taken appropriate corrective action to comply with WIOA.

### **Ineligible Occupations**

OJT contracts must not be written for the following occupations:

1. one in which an employer would typically be able to train a new employee in the first few days or weeks on the job;
2. jobs in which the principal source of income is tips, commissions or piecework;
3. jobs for commission salespersons, casino or other gambling establishment, aquarium, zoo, golf course, swimming pool, seasonal workers;
4. those jobs that are intermittent or seasonal in nature;
5. those jobs that require employees to sign a non-compete agreement;
6. jobs used to assist, promote, or deter union organization;
7. jobs that are entry level retail or fast food.

### **OJT Payment and Training Length**

Payment of WIOA Title I funds to employers is compensation for the extraordinary costs of training participants, including costs of classroom training and compensation for costs associated with the lower productivity of such participants.

***Payment rate and rate considerations:*** The maximum amount of an OJT contract allowed is \$10,000. The employer is reimbursed up to fifty percent (50%) of the participant's wage rate. In limited circumstances, the reimbursement may be up to 75 percent of the wage rate of the participant when the following conditions are considered:

- The characteristics of the participants taking into consideration whether they are individuals with barriers to employment, length of unemployment, and current skill level.
- Small businesses with less than 200 employees.
- Preference will be given to skilled trades and advanced manufacturing in the Local Area.
- Other circumstances will be considered on a case by case basis.

Wages are considered to be monies paid by the employer to the participant. Wages do not include tips, commissions, piece-rate based earnings or non-wage employer fringe benefits. Payment for overtime hours and holidays is only allowable in accordance with local policies. Holidays may be used as the basis for OJT payments only if the participant actually works and receives training on the holiday.

### **OJT Contracts**

The Business Services Consultant works in partnership with the Career Navigator to facilitate OJT. OJT must be provided through a contract to provide a structured occupational training opportunity for the OJT participant to gain the knowledge and competencies necessary to be



successful in the occupation in which they receive training. The contract must be completed and signed before the OJT participant starts working. [20 CFR 680.720 (b). The WIOA service provider or other designated staff, and the employer must sign an OJT contract for each OJT participant.

An OJT contract must be limited to the period of time required for the participant to become proficient in the occupation for which the training is being provided. No OJT contract will be longer than six (6) months and will not exceed 1040 hours.

Appropriate contract length will be determined by considering the skill requirements of the occupation, the academic and occupational skill level of the participant, and the participant's prior work experience. In assessing the time requirements, the WIOA service provider case manager will consider the specific skills needed for that occupation as required by that employer for that job; the normal training time for that occupation as shown by O\*NET, which may be accessed at <http://www.doleta.gov/programs/onet>; and the specific additional skills to be learned by the OJT participant as determined by the assessment of the participant's current skills and experience in comparison to what is required for successful performance in that specific occupation.

The Training Length Determination Form will be used to calculate the maximum number of hours allowed for the OJT contract. The actual hours of the contract will be determined by the Training Outline/Plan, which is developed jointly by the OJT supervisor and the WIOA service provider case manager.

***Rationale for OJT.*** The rationale for the OJT training, including duration, must be entered in the participant's Individual Employment Plan (IEP). Under no circumstances can an OJT contract be written for a participant if the hours of training required for the position in which the participant is to be trained is determined to be less than 160 hours. The hours specified must be considered as a departure point for determining actual training hours. If the total number of training hours needed to successfully train a participant for the OJT position cannot be provided during the maximum contract length allowable, as many training hours as possible must be provided.

The number of training hours for a participant may be increased/decreased based upon the individual circumstances of the participant and will be approved by the board/executive committee on a case by case basis.

### **OJT Contract Required Provisions**

1. Wages paid to OJT participants must be at least the prevailing entry wage for any specific entry occupation in the community. If the employer operates under a collective bargaining agreement, the wage and benefits must be those specified in that union agreement and the job opening must be cleared with the appropriate union.

2. Compliance with requirements of the Civil Rights Act with respect to equal opportunity in employment for the OJT position as well as comply with all federal, state, and local laws.
3. OJT participants hired under this program will be subject to the same personnel policies, rules and regulations, and afforded the same benefits as the other participants of the company.
4. Employers must carry Workers' Compensation Insurance and make Federal and State Tax withholdings as required by law. In addition, the individual OJT participant payroll tax records and receipts for services (if applicable) must be maintained and available for review for a minimum period of three years after the end of the training period.
5. Conditions of employment and training will be in full accordance with all applicable federal, state, and local laws (including but not limited to child labor, health and safety laws), and be appropriate and reasonable in regard to type of work undertaken and the proficiency of the participant.
6. Employer certifies that the OJT participant will not displace any regular employee and certifies that no person was displaced as a result of relocation of the current business in the 120 days prior to signing the Pre-Award Review form.
7. The OJT occupation must not involve religious or political activity.
8. The OJT must be conducted at the employer's place of business or another site, and may not be subcontracted.
9. No employer may hire an OJT participant if a member of the OJT participant's immediate family is engaged in an administrative capacity for that employer.
10. The OJT employer must certify that neither the employing company nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or excluded from participation by any federal department or agency.
11. The OJT Training Outline/Plan must be written for skills that the OJT participant does not already possess. Care must be given to check the OJT participant's work history, and to document that the new skills to be learned are different, more difficult, and/or unique to the new job, and are therefore necessary to perform the new job tasks.
12. Modification provision.
13. Participant hourly wage rate and allowable training hours (work zones as noted on O-Net).
14. Agreement on the maximum amount of reimbursement and/or allowable costs of training.
15. Provision for wage increases based upon successful achievement of training goals as provided to other similar employees, if applicable.
16. A requirement for job retention beyond the training period.
17. A provision for termination due to lack of funds or lack of participant attendance or unsatisfactory progress.
18. Duration of contract.
19. Contract termination clauses.
20. Provision for allowing for MVWA or their designee, state and federal staff monitoring and review of training records.

## **Progress Review**

The Business Services Consultant/WIOA case manager will conduct monthly progress visits by the employers desired mode of communication, to include but not limited to phone, email, or web conferencing software. The first visit will be in person to ensure compliance with provisions of the contract and that training is being provided as outlined in the contract, unless there are extenuating circumstances. If the progress review is conducted in person, the WIOA counselor will ask to see the Training Progress form to ensure that the employee is making progress toward the completion of the Training Outline/Plan. The service provider will maintain a contract file on each OJT with the following documentation:

1. Pre-Award Review form
2. Original OJT Contract and any modified contracts.
3. Proof of Workers Compensation Insurance coverage
4. Training Length Determination Form
5. Invoices and supporting documentation
6. Training Progress form (both interim and final)
7. Job description
8. Justification of OJT participant's failure to satisfactorily complete (if applicable)

### **Monitoring Requirements**

Each OJT contract must be monitored on-site at least once during the contract period. The purpose of this review is to ensure compliance with contract terms and to help solve any concerns between the WIOA service provider, Employer(s), and/or OJT Participant. While on-site the monitor will verify that the participant is receiving the training contracted for in the agreement, and that the participant is not required to engage in activities prohibited by WIOA. The monitor must also review the participant's attendance records to ensure that the participant is attending and succeeding in the training, and review employer records to assure that the participant is receiving proper wages and that the employer is withholding taxes and paying workers compensation.