

Fresno Regional Workforce Development Board

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Blake Konczal, Executive Director

OPERATIONAL DIRECTIVE

FRWDB OD # 23-18, Rev E

Date Released: July 23, 2020

To: All Fresno Regional Workforce Development Board Providers of Services

From: Blake Konczal, Executive Director

Effective Date: July 23, 2020

Subject: On the Job Training Process

Applicable Program: All

Revision History: Initial Release – 7/6/18; Rev B – 8/13/18; Rev C – 9/12/18; Rev D – 12/4/19

This Revision E adds Employer W-9 form to Fiscal Process section, updates to flow for clarified requirements and terminology.

This Operational Directive (OD) references OD 27-09, Waiver Request Process; OD 03-18, Transitional Jobs; OD 20-18, Youth Work Based Learning Process and Policy Bulletin (PB) 01-06, Definitions of Regular and Full Time Employment.

It is the FRWDB's policy that the sole purpose for On-the-Job Training (OJT) is to provide training opportunities that lead to employment to Workforce Innovation and Opportunity Act (WIOA)-enrolled participants who are job ready.

Requirements

The following requirements are based on the WIOA, federal regulations, the state of California, and the FRWDB Local Policies and Procedures:

1. Cost of OJT Training

Employers may be reimbursed **up to** 50% of the wage rate of an OJT participant for the extraordinary costs of providing the training and additional supervision related to the OJT. The primary wage cannot be in the form of commission.

The hourly wage must be equal to or greater than the current California Minimum Wage.

Provider of Services staff must ensure that the employer(s) is able to document that they have the ability to pay the full wage amount at the end of the OJT.

2. Minimum Total Number of Hours

The minimum number of total hours for an OJT Agreement is 40 hours.

3. Minimum Weekly Hours

The minimum number of weekly hours for OJT training is 32 hours per week. Reimbursement for overtime is not allowable (more than 8 hours per day or 40 hours per week). No reimbursement is authorized for over-time, holidays, illness, shift differential, contributions to a participant's retirement plan, or any time in which the training does not occur.

4. Transitional Jobs/Work Experience

Transitional Jobs/Work Based Learning activities may be provided prior to an OJT when it is determined that the participant is eligible for these activities. See appropriate OD.

5. Monitoring Requirements

The provider of service is required to conduct a desk review, on-site review and a closure review at the conclusion of the OJT. Results of these reviews are to be placed in the case file.

Business Referrals

Employers can not refer participants to WIOA for the specific reason of receiving WIOA OJT or other support services that could benefit the referring employer. All referrals will be required to go through the standard WIOA process and must meet all of the minimum criteria.

Provider of Services staff shall not have contact with participants not enrolled in WIOA to discuss OJT opportunities.

Provider of Services staff may discuss OJT opportunities with employers for only WIOA-enrolled participants who are job ready.

OJT Employer Criteria (See Form OJT-001)

Provider of Services staff must ensure that prospective OJT employers meet the following criteria:

- Positions are full-time regular positions, as defined in PB 01-6.
- Average wage is higher than Minimum Wage
- Provides Benefits
- Has low Turnover/High Retention
- Local Sector Occupations (for rural area, a waiver may be requested)

Duration of Training

Providers of services' staff are required to reference the O*Net website <http://www.onetonline.org/> when determining Specific Vocational Preparation (SVP) levels.

The duration must be specifically identified in the training outline and must include an evaluation of the Specific Vocational Preparation (SVP) code. Adjustments to the length of training must be provider of services staffed on the required skills outlined in the employers job description, participant's existing occupational skills, previous employment history, and, if applicable, those skills and knowledge acquired while participating in formal training funded by a WIOA Individual Training Account (ITA) Scholarship. OJT hours will only be provided for the new skills required for the OJT employment.

If the employer does not have a job description, the Provider of Services staff should provide input to the employer for the development of specific job duties for the OJT.

The maximum number of hours for an OJT in a sector or non-sector occupation cannot exceed the allowable hours, as outlined in the table on the next page:

SVP CODE	Maximum # of Hours: Non-Sector	Maximum # of Hours: Sector
2	80 (2 weeks)	160 (4 weeks)
3-4	160 (4 weeks)	320 (8 weeks)
5-6	240 (6 weeks)	480 (12 weeks)
7-9	480 (12 weeks)	960 (24 weeks)

If the Provider of Services staff determines the skills for a specific employment opportunity exceed the SVP code listed for the job title on the O*NET website, the Provider of Services staff will need to submit a request for waiver with justification for the request.

OJT Terminations

If issues are identified at any time during the OJT that could cause the termination of the participant, the Provider of Services staff must follow the Corrective Action process outlined on Page 9. If issues cannot be resolved with corrective action and the participant is terminated for cause, the Provider of Services staff must meet with the employer and the participant to document issues causing the termination. If a participant is terminated for any of the following, the participant must be exited from WIOA:

- Quitting without cause (job abandonment)
- Failure to show up for work
- Walking off of a job site
- Gross misconduct
- Insubordination

Employer Holds

Any of the following will prevent an employer from receiving an initial OJT or receiving subsequent OJTs:

- 1. Employer Issues –**
 - Reduction in Force within last 12 months
 - Unsafe work environment
 - Improper/inadequate supervision
 - Failure to provide monthly evaluations to Provider of Services staff during an OJT
 - Failure to provide training as outlined in the OJT’s training plan

- 2. Exceeding allowable number of OJTs:** An employer can have no more than a combined total of 3 active OJTs at one time. Additional OJTs will be allowed upon successful completion of the OJT. At the conclusion of each OJTs, there must be documentation that the employer has hired the participant.
 - For large employers, a waiver request can be submitted to allow for more OJTs at one time. For example: Company starting a new shift and are looking to hire 90 new production employers.

- 3. Failure to complete OJT:** Failure to complete OJT contracts due to employer issues, including failure to hire.

- 4. Failure to retain after completion of OJT:** Failure to retain participants during the 12 month follow-up period after exit, due to employer issues.

The expected completion and retention rates for OJT employers are 100%. Employers who fail to meet the completion and/or retention rates will be placed on the OJT Employer Hold Report and will not be
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eligible to receive OJT placements. However situations in which OJT participants quit, terminate for cause, or are released due to unforeseeable changes in business conditions, will not necessarily result in termination of an employer's eligibility for future OJTs.

Employers may request reinstatement to receive additional OJTs by submitting a request in writing to the FRWDB Senior Deputy Director of Program Services. The request should state their justification for reinstatement by directly addressing changes made by the employer to ensure FRWDB OJT policies will be followed.

FRWDB has the discretion to place any employer on hold or reinstate the employer.

Employer Hold Report

The provider of services staff must refer to this report prior to developing an OJT with any employer. If the employer is on the OJT Employer Hold Report, an OJT agreement cannot be developed with this employer.

The Employer Hold Report will be maintained by the FRWDB Program Services Unit.

If there is no history with this employer, obtain an employer number from the FRWDB Information Systems department and document in the case notes that there is no history with this employer.

OJT Agreements for Employed Workers

An employed worker is defined as a participant who is employed at the time of the WIOA application or a current enrolled participant who is employed in unsubsidized employment but has not been exited.

1. An OJT agreement may be entered into with the participant's current employer; provided the training outline clearly indicates that the occupational skills to be acquired are an upgrade to the existing skills of the participant and will meet the current hourly and annual wages performance measurement, upon successful completion.
2. An OJT Agreement may be written for an employed worker only when all of the following are documented:
 - The employee is not earning a self-sufficient wage as defined in the current Employed Worker Eligibility Self-Sufficiency Operational Directive; 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 purpose identified by the FRWDB; and
 - Total hours for the OJT does not exceed the allowable hours for the appropriate SVP level for the occupation as defined on page 3; and
 - Must meet the definition of full-time employment (32 hours per week minimum) equivalent, and
 - All other requirements described in these procedures are met.

OJT Agreement Amendment

If a Provider of Services staff determines that an OJT Agreement needs to be amended, complete Form OJT-012 and follow the process flow on page 8.

Closure Outcome

Providers of services are **NOT** to use the Credential Attained outcome at closure when the participant has completed an On the Job Training (OJT) activity.

CalJOBS Requirements

- The signed training agreement and all related attachments must be uploaded as one .pdf file. The .pdf file is to be uploaded as a case note attachment to their OJT case note.
- The final signed copy of the CalJOBS OJT Voucher must be uploaded to the voucher record in CalJOBS.
- The timesheets must be uploaded to the associated payment record in the Payment.

See TRN-OJT-002 for CalJOBS data entry details.

Fiscal Process

Providers are required to submit invoices via email to trng-docs@wfc.co within five (5) working days after the end of the previous month with the following documents:

- Form # OJT-006, Employer Reimbursement Invoice
- Signed CalJOBS Voucher Payment
- Proof of Payment (Labor Report or copy of check)
- Completed employer W-9 form

Process flow is depicted on pages 6 through 9.

Please contact the appropriate FRWDB Adult/Youth Program Manager or Youth Program Coordinator if you have any questions.

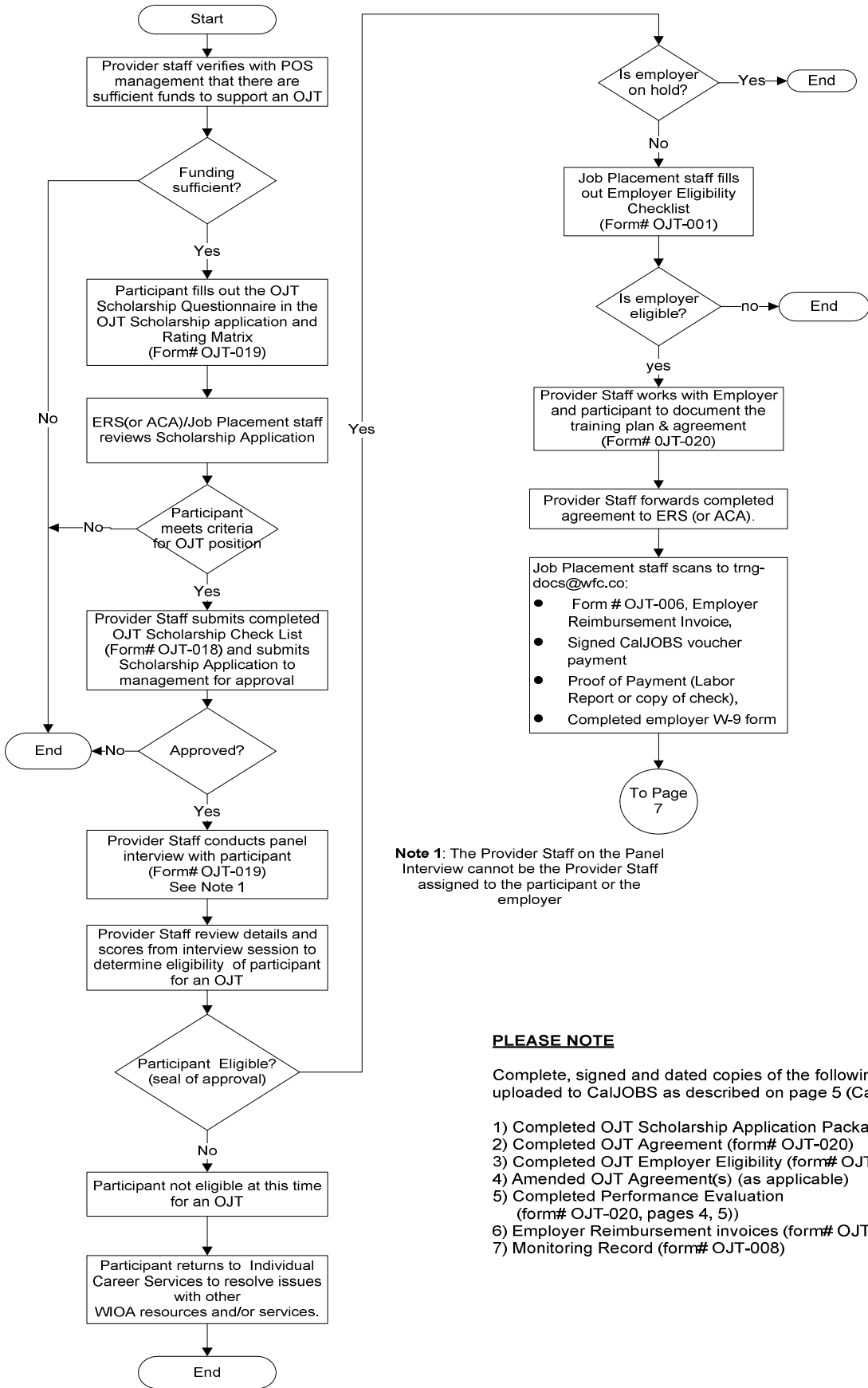
Attachments:

Work Instruction: TRN-OJT-002, CalJOBS Reference Guide for OJTs

Forms:

OJT-001, Employer Eligibility Checklist
OJT-003, Occupational Self-Certification
OJT-006, OJT Employer Reimbursement Invoice
OJT-008, POS Monitoring Form
OJT-012, Request for Amendment to OJT Agreement
OJT-018, OJT Scholarship Checklist
OJT-019, Scholarship Application and Rating Matrix
OJT-020, OJT Agreement Template

OJT Development Activity



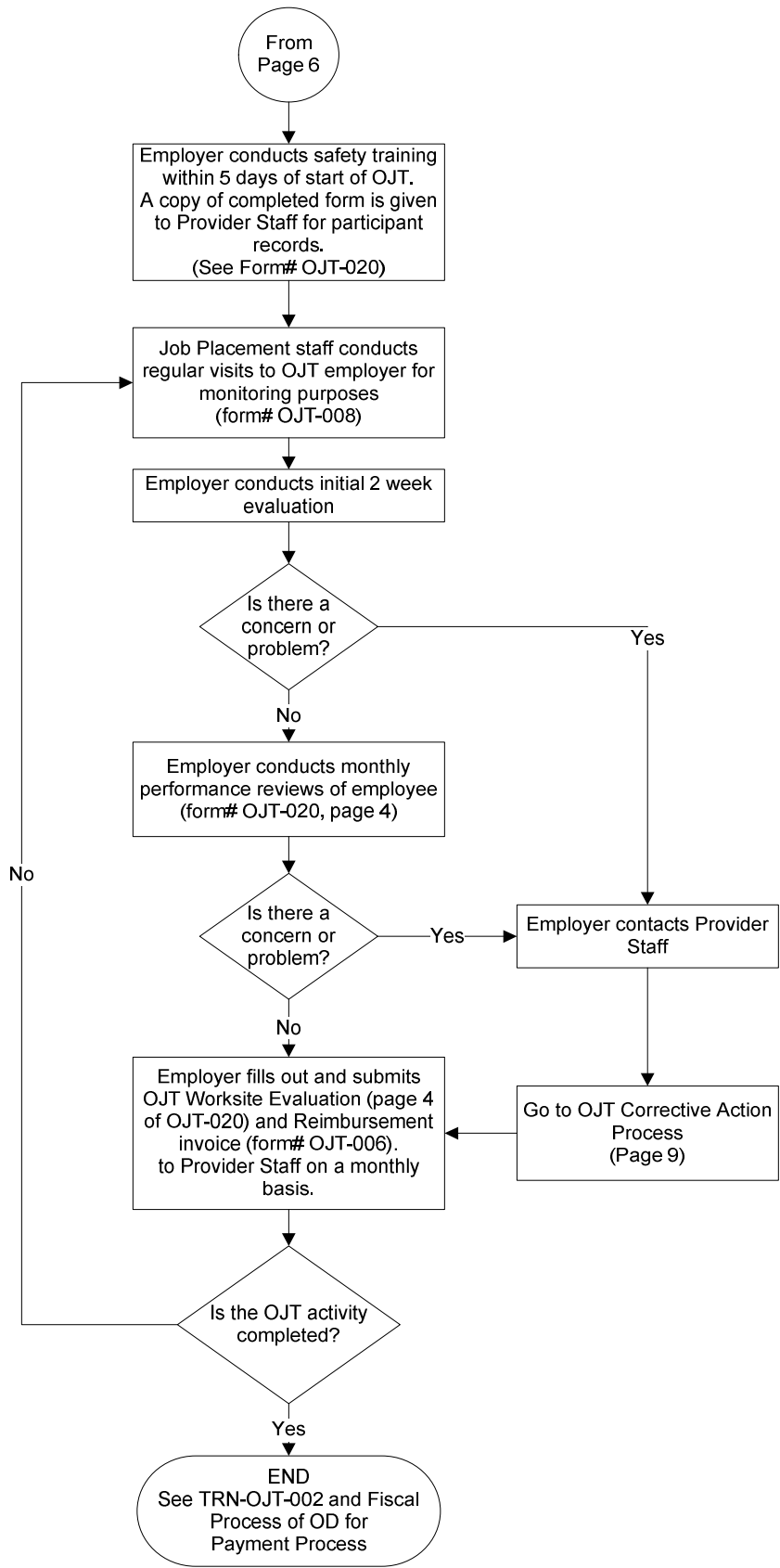
Note 1: The Provider Staff on the Panel Interview cannot be the Provider Staff assigned to the participant or the employer

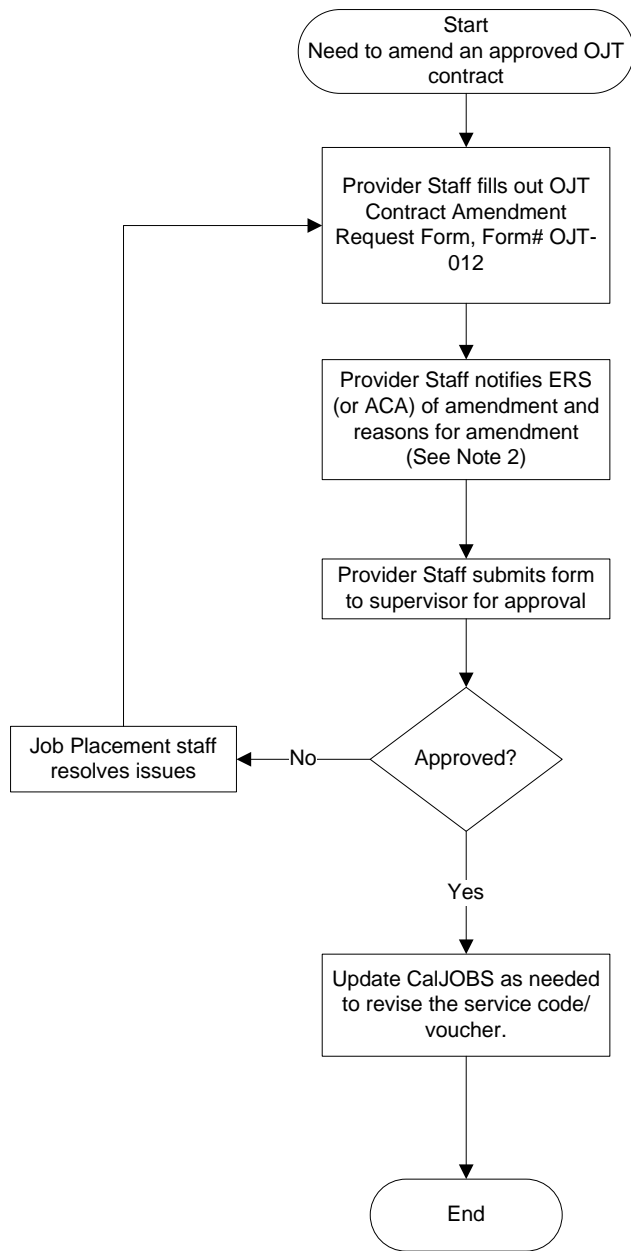
PLEASE NOTE

Complete, signed and dated copies of the following documents must be uploaded to CalJOBS as described on page 5 (CalJOBS Requirements):

- 1) Completed OJT Scholarship Application Package
- 2) Completed OJT Agreement (form# OJT-020)
- 3) Completed OJT Employer Eligibility (form# OJT-001)
- 4) Amended OJT Agreement(s) (as applicable)
- 5) Completed Performance Evaluation (form# OJT-020, pages 4, 5))
- 6) Employer Reimbursement invoices (form# OJT-006)
- 7) Monitoring Record (form# OJT-008)

Once OJT Activity Starts





Note 2:
ERS (or ACA) will need to
schedule a meeting with
participant to amend the
Plan

