

**GLOW WORKFORCE DEVELOPMENT BOARD POLICY
UNDER THE WORKFORCE INNOVATION OPPORTUNITY ACT (WIOA)**

NAME OF POLICY: On the Job Training (OJT) Policy

GLOW WDB APPROVAL DATE: ~~January 24, 2017, September 15, 2020 September 21, 2021~~
September 20, 2022

EFFECTIVE DATE: ~~January 24, 2017 September 15, 2020 September 21, 2021~~
September 20, 2022

DEFINITION: On-the-Job Training (§680.700) is training that is provided under a contract by an employer to a WIOA participant. The participant is engaged in productive work in a job for which the individual is paid and the training provides knowledge and skills essential to the performance of the job.

OJT provides reimbursement to the employer 50% of the training cost up to the maximum allowed by contract.

- OJT Contracts may be made with a Registered Apprenticeship program for training participants. Apprenticeships may include classroom and on-the-job training.

GLOW Guidelines:

- WIOA OJTs can be done with new or employed workers
- OJTs can be combined with other types of training
- Employers must be in compliance with the NYS Labor Laws as determined by NYS Vetting process listed separately in the GLOW WDB OJT Procedures per Technical Advisory 10-15.2.
- Before granting an OJT contract, it shall be determined that abnormal labor conditions, such as strike, and lockout or other similar conditions do not exist at the establishment.
- It must be documented that the OJT applicant does not currently possess the skills needed to perform the job and that such training is required for the trainee to secure new employment and/or upgrade employment. This information needs to be attached to, or in the participant Individual Employment Plan (IEP) with how the skills gap was determined and what type of assessment was completed (Job Zone, etc.).
- An employer who has failed to meet the requirements on past OJT contracts may be turned down for future OJT contracts.
- If an employer is turned down for an OJT, the GLOW OJT Appeal process may be utilized.
- A prospective employed OJT candidate must earn less than the GLOW WDB Self-Sufficiency Rate Policy, which is currently **\$28/per hour/\$58,240 annually** based on 40 hour weeks as of the date of this policy).
- The OJT position must be a regular position, not seasonal or temporary.
- It is understood that any employer entering into an OJT Contract will agree to retain the trainee upon successful completion of his/her training, unless it is fully documented by the employer that the trainee is unable to adequately perform his/her job duties, or economic conditions lead to personnel reductions in the workplace of the employer, or the employee violates company policies.
- Reimbursement and length of an OJT contract will be limited as per Federal and State Law, GLOW WDB policies, as well as Technical Advisories provided for special OJT programs.
- Refer to the GLOW Supportive Services Policy for covering participant for costs of additional work related items (supplies, tools, uniforms, boots, etc.).

- The amount of hours needed for training will be based on what is determined in the training plan, but is not to exceed 1,040 hours. Reimbursement of wages will be for contracted amount of time worked, including any overtime hours. No holiday, sick, or vacation time can be submitted for reimbursement.”
- The maximum amount of OJT reimbursement is \$5,000 per contract \$20,000 per business per program year (7/1-6/30).
- The business agrees to adhere to the LWDB’s grievance process if a complaint arises in connection with the OJT employee and the training.
- Participation in programs and activities or receiving funds under Title I WIOA must be available to citizens and nationals of the United States, lawfully admitted permanent resident aliens, refugees, asylees, and parolees, and other immigrants authorized by the Secretary of Homeland Security or the Secretary’s designee to work in the United States.

GLOW Guidelines Process:

- The Contractor will be required to sign contract, and any other required forms in the On-The-Job Training Policy
- Capital improvements are excluded from reimbursement
- The GLOW WDB Executive Director will be the decision makers for determining approval for business request of On-The-Job Training
- Training decision appeals are brought to the GLOW WDB Executive Committee.
- Businesses applying for On-The-Job Training must have a physical presence in the GLOW region
- Employees in On-The-Job Training programs must earn less than the GLOW WDB Self-Sufficiency Rate Policy, which is currently **\$28.00/per hour or \$58,240 annual salary based on a 40-hour week.**
- Funds provided to Contractors for On-The-Job Training must not be used to directly or indirectly assist, promote, or deter union organizing.
- It is understood that any Contractor entering into an On-The-Job Training Contract will agree to retain the trainee upon successful completion of his/her training, unless it is fully documented by the employer that the trainee is unable to adequately perform his/her job duties or the employee violates company policies. If the Contractor demonstrates a pattern of laying off or terminating training participants within 6 months of training completion, the Contractor may be liable to reimburse training costs to GLOW.
- Contractors must be in compliance with the NYS Labor Laws as determined by the NYS Vetting Process.
- Participation in programs and activities or receiving funds under title I WIOA must be available to citizens and nationals of the United States, lawfully admitted permanent resident aliens, refugees, asylees, and parolees, and other immigrants authorized by the Secretary of Homeland Security or the Secretary’s designee to work in the United States.

Process To Apply for On-The-Job Training:

1) Interested Businesses can contact the GLOW Coordinator, Michele Nichols, GLOW WDB, (585) 344-2042, x4239 or mnichols@co.genesee.ny.us who will notify the Program Operator of the training request:

Genesee, Livingston, Orleans, Wyoming (GLOW) One Stop Centers:

Teresa Van Son, WIOA Employment and Training Director, Email: Teresa.vanson@co.genesee.ny.us

Genesee County Career Center, 587 East Main Street, Suite 100, Batavia, NY 14020
585-344-2042

Ryan Snyder, WIOA Employment and Training Director, Email: rsnyder@co.livingston.ny.us

Livingston County Office of Workforce Development, 6 Court Street, Room 105, Geneseo, NY 14454
585-243-7047

Kelly Kiebala, WIOA Employment and Training Director, Email: kelly.kiebala@dfa.state.ny.us

Orleans County Job Development Agency, 14016 Route 31, Albion, NY 14411
(585) 589-2740

Carrie Johnson, WIOA Employment and Training Director /WCCA Executive Director, Email: cjohnson@wccainc.org
Beth Caton, Employment and Training Coordinator, Email: bcaton@wccainc.org
Wyoming County Community Action, Inc., 6470 Route 20A, Perry, NY 14530
585-237-2600

GLOW NYS DOL Businesses Services Representative
(585) 344-2042, 4251

Overview of Role of the GLOW Service Providers Staff:

The role of the Service Provider staff is to determine eligibility, assist with contract development, monitoring, and authorization of reimbursement to the employer. The Service Provider will monitor the On-The-Job Training Programmatically and fiscally the On-The-Job Training Contracts in the GLOW region.

On-The-Job Training Pre-Award Review – Vetting Done by GLOW WDB Staff

Every business needs to be vetted. Interested Businesses need to complete the Responsibility Questionnaire and Preliminary Business Application, which are located at www.glowworks.org. The completed Questionnaire and Preliminary Business Application are sent to the GLOW Coordinator, Michele Nichols, at mnichols@co.genesee.ny.us or faxed to: (585) 344-4495. The GLOW Coordinator will conduct the Vetting requirements, which includes LWDAs confirming that the applicant business is a responsible training provider (bidder) for an OJT candidate by checking:

- Responses to Responsibility Questionnaire – If a business provides an answer of yes, they are to provide a written explanation on company letter head, signed by an officer of the company, and submitted along with the completed questionnaire. It will be the responsibility of the local area to determine if the explanation provided by the business is satisfactory, therefore allowing the contracting process to continue. If a business has submitted a Responsibility Questionnaire within the last 12 calendar months all that is needed is an attestation that the information presented in the form remains true, accurate, and complete. The Attestation Form is attached.
- Registration with the New York Department of State’s Division of Corporations – This search can be conducted online at: www.dos.state.ny.us/corps/bus_entity.search.html. If you cannot find a business listed with the Division of Corporations you should reach to the business and ask them for assistance in finding their record. If the business is not registered with Division of Corporations, there are forms and fee schedules available at their website: <http://www.dos.state.ny.us/corps/buscorps.html#certinc>. If you need further assistance, please contact the GLOW Business Services Representative.
- Federal OSHA records. These records can be found online at: <http://www.osha.gov/pls/imis/establishment.html>. Search under New York State only. When reviewing the OSHA records, only open cases at the targeted worksite trigger a “red flag.” If there is no record for the business or if the open case is on another worksite, you can consider this a “pass.” If you encounter an open case with the business, you contact your regional OSHA office, www.osha.gov/oshdir/ny.html. They will be able to provide you with details of the open case to assist you in making your determination.
- New York State Department of Labor (NYSDOL) Records. Requests for evaluation of this information should be made to: OJTDueDiligence@labor.ny.gov using the OJT Due Diligence Request form with a copy of the appropriate Regional Business Services Representative. The subject line should read: “OJT/NEG Due Diligence Request – (Business Name). Upon receipt of the request, NYS DOL will send a confirmation email to the requesting local area. Due to the confidential nature of the state level check, NYSDOL will provide an email response of “Found to be Responsible,” “Issues Pending,” or “Not Found to be Responsible” for each entity, rather than providing any specifics for the categories of information. These responses will be provided within three business days from the date of the confirmation of receipt. This review takes a snapshot of the organization at the point in time the review takes place. The information reviewed is updated on quarterly basis. For this reason, the review is considered valid for three month period beginning on the date the review is completed. After this three month period, the organization must undergo a new diligence review if it wishes to enter into a new contract.
- Once NYSDOL Records confirms if employer is in compliance with OJT Vetting Requests, the GLOW Coordinator will inform the One Stop Office of Vetting approval and request of OJT Training.

Procedures to Apply for On-The-Job Training Funds

- 1) **On-Site Review of Training Facility** - An on-site review must be conducted with the businesses prior to the training by the Service Provider. This review will allow staff to see where the On-The-Job Training participant(s) will be training, meet the trainee's supervisor, and gain a better understanding of the business' facility and operations. The purpose of this visit is to determine whether the business will afford a viable On-The-Job Training opportunity. The training provider must provide attendance record of all On-The-Job Training participant(s) during the training period. The WIOA Staff On-Site Review Form for On-The-Job Training must be completed and sent to GLOW WDB with the Training Funds Approval Form.
- 3) **WIOA Eligibility of Participants** - All training requests must follow the GLOW ITA Policy. Prior to approval of any Adult, DLW, or Youth Training, staff will have completed the following activities:
 - An eligibility intake (DEV including all the necessary documents in the customer file and enrollment in OSOS with casenotes documenting eligibility.
 - Objective Assessment
 - A completed Individual Service Strategy (ISS) signed by the participant
 - The participant must be assessed for supportive services

Once the Service Provider has completed the required activities listed above:

- 4) **Training Approval** - Staff will complete the GLOW WDB Training for Adult and DLW WIOA Funds Approval Form or GLOW WDB Training for WIOA Youth Training Approval Form **for each WIOA customer. The completed WIOA Staff On Site Review Form for On-The-Job Training, Training Funds Approval Form must be submitted to the Executive Director of the GLOW WDB for final approval before the training starts.**
- 5) **OSOS Data Entry** – On the day of the On-The-Job Training service starts, staff must enter the appropriate service in OSOS. On-The-Job Training is entered as a Non-ITA Training. Staff will enter from ETPL Autoload. If it is not on ETPL Autoload, staff can create a service without it being on the ETPL but the curriculum of the training must be collected.
- 6) **Signing of Contract** – The GLOW WDB completes GLOW WDB WIOA On-The-Job Training contract, which shall be completed and signed prior to the participant(s) beginning training and after participant(s) are enrolled in program. Once the Employer signs the contract, it will be sent to the GLOW WDB Executive Director for signature. The GLOW WDB Executive Director will send executed contract to Service Provider and Employer, which includes employer's agreement to terms of contract.
- 9) **Mid-Point Monitor** - For trainings that occur for more than 1 week, a mid-point on-site monitoring review will take place. This is to ensure that the contract is being followed and all trainings have been provided or are scheduled to be completed. In the event that the On-The-Job Training is a week or less in duration, staff will receive correspondence of the events that have taken place during the training including attendance of participants and the training provided. The Service Provider must ensure all On-The-Job Training contracts are monitored **on-site at least once** to ensure compliance with contract terms and to help resolve any issues, **ideally around the mid-point of the training period.** The attached WIOA Staff On-Site Review and Mid-Point Monitor Form for On-The-Job Training should be completed and sent to GLOW WDB Staff, Michele Nichols, mnichols@co.genesee.ny.us. Monitoring should verify that the participant is receiving the agreed upon training, and is not required to engage in prohibited activities.

- 10) **Employer Reimbursement** – Based on the contract reimbursement schedule, the employer must submit time cards and paystubs verifying clients work hours and payroll (paid in full). The Service Providers submits the receipt for training paid to Principal Account Clerk, GLOW WDB Grant Recipient, who will pay 50% of the training cost up to the maximum allowed by contract, to the employer directly.

The LWDB, NYSDOL, or United States Department of Labor may inspect and monitor any records or activities pertaining to the contract at any time during normal business hours, and as often as deemed necessary. Such inspection shall be made to determine whether the business is in compliance with the terms and provisions of this contract and the participant is making sufficient progress.

GLOW WDB APPEAL PROCESS

In the event that a GLOW employer's request for an On-The-Job Training contract is turned down by a program operator, the employer shall have the right to appeal to the GLOW Workforce Development Board.

The Executive Director will call a meeting of members of the Executive Committee to review the complaint. If the program operator's decision is overturned, final say in the matter will be left to that county's Chief Elected Official, as the county would be ultimately responsible for any disallowed costs.

Insert OJT Provider Name Here

On-the-Job Training (OJT) Training Plan

OJT Contract No:

Training Plan No:

Section 1: Contact and OJT Information

Complete the contact information for the Employer and the Trainee.

EMPLOYER NAME:	CONTACT PERSON:	TELEPHONE #:
TRAINEE NAME:	EMAIL:	TELEPHONE #:
BEGINNING DATE:	END DATE:	TOTAL TRAINING HOURS:
HOURLY WAGE RATE: \$	REIMBURSEMENT RATE: %	MAXIMUM REIMBURSEMENT: \$

Section 2: Occupational Information

Complete the occupational information for the Trainee's skill level.

JOB TITLE:	O*NET SOC #:	HOURS/WEEK:
JOB DESCRIPTION:		
REQUIRED JOB SKILLS FOR OCCUPATION:	STARTING CAPABILITY: DATE MEASURED	
1. JOB SKILL NEEDED	NOT SKILLED: <input type="checkbox"/> SOME SKILL: <input type="checkbox"/> SKILLED: <input type="checkbox"/>	
2. JOB SKILL NEEDED	NOT SKILLED: <input type="checkbox"/> SOME SKILL: <input type="checkbox"/> SKILLED: <input type="checkbox"/>	
3. JOB SKILL NEEDED	NOT SKILLED: <input type="checkbox"/> SOME SKILL: <input type="checkbox"/> SKILLED: <input type="checkbox"/>	
4. JOB SKILL NEEDED	NOT SKILLED: <input type="checkbox"/> SOME SKILL: <input type="checkbox"/> SKILLED: <input type="checkbox"/>	
5. JOB SKILL NEEDED	NOT SKILLED: <input type="checkbox"/> SOME SKILL: <input type="checkbox"/> SKILLED: <input type="checkbox"/>	

Section 3: Training Information

Complete the training outline and estimated time for each skill.

SKILLS TO BE LEARNED:	ESTIMATED TRAINING HOURS:	END CAPABILITY DATE MEASURED
1. SKILL TO BE LEARNED	ESTIMATED TRAINING HOURS	BEGINNING: <input type="checkbox"/> INTERMEDIATE: <input type="checkbox"/> SKILLED: <input type="checkbox"/>
2. SKILL TO BE LEARNED	ESTIMATED TRAINING HOURS	BEGINNING: <input type="checkbox"/> INTERMEDIATE: <input type="checkbox"/> SKILLED: <input type="checkbox"/>
3. SKILL TO BE LEARNED	ESTIMATED TRAINING HOURS	BEGINNING: <input type="checkbox"/> INTERMEDIATE: <input type="checkbox"/> SKILLED: <input type="checkbox"/>
4. SKILL TO BE LEARNED	ESTIMATED TRAINING HOURS	BEGINNING: <input type="checkbox"/> INTERMEDIATE: <input type="checkbox"/> SKILLED: <input type="checkbox"/>
5. SKILL TO BE LEARNED	ESTIMATED TRAINING HOURS	BEGINNING: <input type="checkbox"/> INTERMEDIATE: <input type="checkbox"/> SKILLED: <input type="checkbox"/>
LIST SUPPLIES AND TOOLS NEEDED FOR TRAINING:		

Section 5: Signatures

All parties agree to provide or obtain training for the skills outlined in this Training Plan.

Authorized Signatures

DATE:

TRAINEE SIGNATURE:

TYPE/PRINT NAME:

DATE:

DATE:

EMPLOYER SIGNATURE:

OJT PROVIDER SIGNATURE:

TYPE/PRINT NAME:

TYPE/PRINT NAME:

TITLE:

TITLE:

Disclaimer: The tools, templates, and information provided in the OJT Toolkit serve as a general guide for states and local areas. Although every effort is made to ensure that the material within this web site is accurate and timely, we make no warranties or representations as to the accuracy or completeness of the contents, whether the contents are current, or free from changes caused by third parties. All information is provided "as is" without warranty of any kind. No information provided in this site may be considered legal advice and it is the responsibility of each user of the OJT Toolkit materials to ensure that the materials meet all federal, state and local requirements. Use of the materials does not imply compliance with ETA requirements.

TRAINING PLAN INFORMATION AND INSTRUCTIONS

Training Plans are used to outline the specific skill requirements for on-the-job training (OJT). They are also used as the assessment tool to document which skills the Trainee lacks at the start of the training and to measure skill attainment during the course of the training.

Job Description:

A job description may be obtained from the Employer or the OJT Provider may assist the employer in writing a job description, thus providing a “value-added” for the employer. For assistance in writing a job description you may use the tasks and activities provided at the CareerOneStop Job Description Writer (<http://www.careerinfonet.org/jobwriter/>). Please modify these descriptions to be specific to employer’s needs for the occupation.

Skill Requirements:

List the skills needed to perform the job to the standards specified by the Employer. Record skills as specifically and briefly as possible. For assistance in writing skill requirements you may use the tasks and activities provided at O*NET OnLine (<http://online.onetcenter.org>). Please modify these skills to be specific to employer’s needs for the occupation. (Type of tools or software used)

Trainee’s Starting Capability:

Used to assess the trainee’s skill level near the beginning of the training period and to document skill deficiencies which will be addressed through training. The skills gap can be addressed in the list of “Skills To Be Learned”. The “Starting” and “Ending Capability” scores are based upon an interview with the Trainee’s supervisor or by utilizing another skill assessment method used by the employer

Trainee’s Ending Capability:

Record the date on which the “Ending Capability” assessment is made and the skill level which has been obtained using the following rating scale:

1. Beginning - Can do only simple parts of the task.
2. Intermediate - Can do most parts of the task.
3. Skilled – Meets the Employer’s standard for the task.

Training Length:

The OJT Provider, working with the Employer, determines the job title for the position to be trained for, referencing O*NET OnLine (<http://online.onetcenter.org>).

From O*NET OnLine, Job Zone/SVP parameters are obtained. Use these parameters as a beginning guide to determine the length of training.

The OJT Provider considers the trainee’s past work experience, knowledge, and skills gap to assist in determining the length of training.

An 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 the 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. (WIA sec. 101 (31) (C).)

It may be necessary to deviate from the training schedule, depending on the trainee’s ability to gain and retain knowledge of the various tasks within the occupation. If there is disruption of the planned training period through no fault of the trainee or the employer, provide modifications in writing with the Training Plan Modification Template.

**WIOA STAFF OJT MONITOR FORM FOR
ON-SITE REVIEW AND MONITORING REPORT TO BE DONE MIDPOINT OF TRAINING**
Email or Fax completed form to GLOW WDB at mnichols@co.genesee.ny.us or fax to: (585) 344-4495

Company/ Contract #:		FEIN #:	Training Period Program Start Date:
Address:		Contract #	
City:		State:	Zip:
Primary Contact:		Phone:	
Trainee:		Job Title:	
Trainee Supervisor:		Standard Work Week Hours:	
		Wages Per Hour:	

An on-site review must be conducted with the businesses **prior to the training**. This review will allow staff to see where the OJT participant(s) will be trained, meet the trainee's supervisor, and gain a better understanding of the business' facility and operations. The purpose of this visit is to determine whether the business will afford a viable On-the-Job training opportunity.

- 1) Was On Site Visit Review Conducted Prior to Training: Yes No
- 2) Date Site Visit Was Conducted: _____
- 3) Is Training Facility Suitable and Appropriate for Training: Yes No
- If no, explain: _____

MID-POINT MONITOR

Has this business previously done an OJT? _____ Y _____ N_

If yes, were the workers that participated in the OJT retained? _____ Y _____ N_

If no, reason? _____

Trainee Info:

1. The trainee has received a training outline? _____ Y _____ N_
2. The training outline is being followed? _____ Y _____ N_
3. Participant is receiving agreed upon training and not required to engage in prohibited activities? _____ Y _____ N_

Trainee Signature Date: _____

Supervisor Info:

1. Has the participant missed any days of work? _____ Y _____ N_
- Explanation: _____
2. The trainee is making progress mastering skills? _____ Y _____ N_

Trainee Supervisor Signature Date: _____

Contract Review Info:

1. The hours and wages are consistent with the terms of the sub-contract? _____ Y _____ N_
2. Is participant receiving proper wages, tax withholdings and Workers Compensation? _____ Y _____ N_
3. By reviewing attendance records, is participant fully engaged in training? _____ Y _____ N_
4. Were wage records reviewed? _____ Y _____ N_

Any Comments/Concerns? _____ Y _____ N_

Date: _____

WIOA Staff Monitoring Signature