

GLOW Workforce Development Board (WDB) Policy

Under the Workforce Innovation and Opportunity Act (WIOA)

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

APPROVAL DATE: ~~1/23/17, 9/15/20, 9/21/21, 1/16/24, 3/17/26~~

EFFECTIVE DATE: ~~1/24/17, 9/15/20, 9/21/21, 9/20/22, 11/14/23, 3/18/26~~

DEFINITION: On-the-Job Training (OJT) (20 CFR §680.700) is training 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 for 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 instruction and OJT.

GLOW OJT Guidelines:

- WIOA OJTs can be done with new hires or employed workers.
- OJTs can be combined with other types of training.
- Employers must be in compliance with the New York State (NYS) Labor Laws as determined by the NYS vetting process listed separately in the GLOW WDB OJT Procedures per Workforce Development System Technical Advisory (WDS TA) #10-15.2.
- Before granting an OJT contract, it shall be determined that abnormal labor conditions, such as strike, lockout, or 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 included in, the participant Individual Employment Plan (IEP) with how the skills gap was determined and what type of assessment was completed (e.g., 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, which is currently **\$28/per hour/\$58,240 annually** based on a 40-hour work week as of the date of this policy and the GLOW Self-Sufficiency Rate 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 their training, unless it is fully documented by the employer that the trainee is unable to adequately perform their 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 laws, GLOW WDB policies, and WDS TAs provided for special OJT programs.
- Refer to the GLOW Supportive Services Policy for covering participant costs of additional work-related items (e.g., supplies, tools, uniforms, boots, etc.).

- The number of hours needed for training will be based on 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 and \$20,000 per business per Program Year (7/1-6/30). All contract modifications, such as increase/decrease in hours and contract amount should be reported to the Executive Director to discuss with the Finance Committee if changes to the contract are needed as a result.
- The business agrees to adhere to the Local WDB'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 WIOA Title I 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 the contract and any other required forms in the OJT Policy;
- Capital improvements are excluded from reimbursement;
- The GLOW WDB Executive Director (ED) will be the decision maker for determining approval for business requests of OJT;
- Training decision appeals are brought to the GLOW WDB Executive Committee;
- Businesses applying for OJT must have a physical presence in the GLOW region;
- Employees in OJT programs must earn less than the GLOW WDB Self-Sufficiency Rate, which is currently **\$28.00/per hour or \$58,240 annual salary based on a 40-hour work week** (see GLOW WDB Self-Sufficiency Policy);
- Funds provided to contractors for OJT must not be used to directly or indirectly assist, promote, or deter union organizing.
- It is understood that any contractor entering into an OJT contract will agree to retain the trainee upon successful completion of their, unless it is fully documented by the employer that the trainee is unable to adequately perform their 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 for reimbursing training costs to GLOW.

Contractors must be in compliance with the NYS Labor Laws as determined by the NYS vetting process. _

1) Interested businesses can contact the GLOW WDB at (585) 344-2042 or by email at michelle.williams@geneseeny.gov or tracy.vanvleck@geneseeny.gov. The GLOW WDB 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@geneseeny.gov
Genesee County Career Center, 587 East Main Street, Suite 100, Batavia, NY 14020
 585-344-2042

Ryan Snyder, WIOA Employment and Training Director, Email: RyanSnyder@livingstoncountyny.gov
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@orleanscountyny.gov
Orleans County Job Development Agency, 14016 Route 31, Albion, NY 14411
585-589-2740

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, ext. 4251

Overview of the 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 conduct program and fiscal monitoring of the OJT contracts in the GLOW region.

OJT Pre-Award Review – Vetting by GLOW WDB Staff

Every business must be vetted. Interested businesses need to complete the Responsibility Questionnaire and Preliminary Business Application, which are located at www.glowworks.org or by contacting the GLOW WDB at, (585) 344-2042 or by email at michelle.williams@geneseeny.gov or tracy.vanvleck@geneseeny.gov. The completed Responsibility Questionnaire and Preliminary Business Application are sent by email or faxed to: (585) 344-4495. The GLOW WDB will conduct the vetting requirements, which includes 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 letterhead, 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 NYS Department of State’s Division of Corporations – This search can be conducted online at: <https://apps.dos.ny.gov/publicInquiry/#search>. If a business is not listed with the Division of Corporations, staff should reach out 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: <https://dos.ny.gov/existing-corporations-and-businesses>. If staff need further assistance, the GLOW Business Services Representative must be contacted.

Federal Occupational Safety and Health (OSHA) records. These records can be found online at: <http://www.osha.gov/pls/imis/establishment.html>. Search under NYS only. When reviewing the OSHA records, only open cases at the targeted worksite that 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 staff encounter an open case with the business, contact your regional OSHA office:

<https://www.osha.gov/contactus/bystate/NY/areaoffice>. They will be able to provide details of the open case to assist staff in making a determination.

NYS Department of Labor (NYS DOL) 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, NYSDOL 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 confirms the business complies with OJT vetting requirements, the GLOW WDB will inform the One-Stop Office of vetting approval.

Procedures to Apply for OJT Funds

- 1) **On-Site Review of Training Facility** - An on-site review by the service provider must be conducted with the business prior to the training. This review will allow staff to see where the OJT 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 OJT opportunity. The training provider must provide attendance records for all OJT 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.**
- 2) **WIOA Participant Eligibility** - All training requests must follow the GLOW Individual Training Account (ITA) Policy. Prior to approval of any Adult, Dislocated Worker (DW), or Youth Training, staff will have completed the following activities:
 - An eligibility intake (Data Element Validation (DEV)) including all the necessary documents in the customer file and enrollment in the One-Stop Operating System (OSOS) with case notes documenting eligibility;
 - An Objective Assessment;
 - A completed Individual Service Strategy (ISS) signed by the participant;
 - An assessment for supportive services for the participant; and
 - A developed training outline.

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

- 1) **Training Approval** – Staff will complete the GLOW WDB Training for Adult and DW WIOA Funds Approval Form or GLOW WDB Training for WIOA Youth Training Approval Form **for each WIOA participant. The completed WIOA Staff On-Site Review Form for On-The-Job Training, Training Funds Approval Form must be submitted to the ED of the GLOW WDB for final approval before the training starts.**
- 2) **OSOS Data Entry** – On the day the OJT service starts, staff must enter the appropriate service in OSOS. OJT is entered as a Non-ITA Training. Staff will enter from the Eligible Training Provider List (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.

- 3) **Signing of Contract** – The GLOW WDB completes the GLOW WDB WIOA OJT contract, which shall be completed and signed after the participant(s) is enrolled in a WIOA program and prior to the participant(s) beginning training. Once the business signs the contract, it will be sent to the GLOW WDB ED for signature. The GLOW WDB ED will send the executed contract to the service provider and business.
- 4) **Mid-Point Monitoring Review** – For trainings that last for more than one (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 OJT is one (1) 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 OJT 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 must be completed and sent to GLOW WDB Staff, by email at michelle.williams@geneseeny.gov or tracy.vanvleck@geneseeny.gov. Monitoring must verify that the participant is receiving the agreed-upon training, and is not engaging in prohibited activities.
- 5) **Business Reimbursement** – Based on the contract reimbursement schedule, the business must submit timecards and paystubs verifying participant’s work hours and payroll (paid in full). The service provider ~~the receipt~~ submits the supporting documentation for hours worked and payroll paid to the Principal Account Clerk, GLOW WDB Grant Recipient, who will pay 50% of the training cost, up to the maximum allowed by contract, to the business directly.

The WDB, NYSDOL, or United States Department of Labor (USDOL) 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 business’s request for an OJT contract is turned down ~~by a program operator~~, by the GLOW WDB Executive Director, the business shall have the right to appeal to the GLOW WDB.

The GLOW WDB ED will call a meeting of members of the Executive Committee to review the complaint. If the ~~program operator’s~~ GLOW WDB decision is overturned, the 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 Business and the Trainee.

BUSINESS 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:

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 business or the OJT provider may assist the business in writing a job description, thus providing a “value-added” for the business. 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 the business’s needs for the occupation.

Skill Requirements:

List the skills needed to perform the job to the standards specified by the business. 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 the business’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 business.

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 business’s standard for the task.

Training Length:

The OJT provider, working with the business, 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/ Specific Vocational Preparation (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 IEP. (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 ON-SITE REVIEW FORM for OJT TRAINING

(ON-SITE REVIEW AND MONITORING REPORT TO BE DONE NEAR MIDPOINT OF TRAINING)

Email or Fax completed form to GLOW WDB at michelle.williams@geneseeny.gov or

tracy.vanvleck@geneseeny.gov or fax to: (585) 344-4495

Business:		FEIN #:	Training Period Program Start Date:
Address:		Contract #	Training Period Planned End Date:
City:		State:	Zip:
Primary Contact:		Phone:	Standard Work Week Hours:
Trainee:		Job Title:	
Trainee Supervisor :			

An on-site review must be conducted with the business **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 OJT 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 MONITORING

Has this business previously done an OJT? Yes No

If yes, were the workers that participated in the OJT retained? Yes No

If no, reason? _____

Trainee Info:

1. The trainee has received a training outline? Yes No

2. The training outline is being followed? Yes No

3. The trainee is receiving agreed-upon training and not engaging in prohibited activities? Yes No

Trainee Signature

Date:

Supervisor Info:

1. Has the trainee missed any days of work? Yes No

Explanation: _____

2. Is the trainee is making progress mastering skills? Yes No

Trainee Supervisor Signature

Date:

Contract Review Info:

1. Are the hours and wages consistent with the terms of the contract? Yes No
2. Is the trainee receiving proper wages, tax withholdings and Workers Compensation? Yes No
3. By reviewing attendance records, is the trainee fully engaged in training? Yes No
4. Were wage records reviewed? Yes No

Any comments/concerns? Yes No

WIOA Staff Monitoring Signature

Date: