

GLOW Workforce Development Board (WDB) Policy

Under the Workforce Innovation and Opportunity Act (WIOA)

NAME OF POLICY: Transitional Jobs for Adult/Dislocated Worker Work Experience

APPROVAL DATE: ~~3/8/16; 9/15/20~~, 3/17/26

EFFECTIVE DATE: ~~3/8/16; 9/15/20~~ 3/18/26

BACKGROUND: Training services can be critical to the employment success of individuals. In addition to classroom training, WIOA provides a variety of work-based training options to assist individuals in securing unsubsidized employment. One of those work-based options is Transitional Jobs (TJs). TJs are Individualized career service per TEGL 10-16 C3 Att VII and **MUST** be combined with comprehensive career services (20 CFR 680.150) and supportive services (20 CFR 680.900).

ELIGIBILITY CRITERIA:

TJs are time-limited work experiences that are subsidized and are in the public, private or nonprofit sectors. They are targeted to individuals who possess significant barriers to employment, including those who are chronically unemployed and have an inconsistent work history:

Chronically unemployed (as applicable to TJs): Means that a worker has been unemployed, as by defined by the Bureau of Labor Statistics, for at least:

- 1) Six (6) months of the past 24 months; or
- 2) Fifteen (15) of the past 60 months.

This will be documented in the One-Stop Operating System (OSOS) using the Work History tab and Comments tab.

Inconsistent work history (as applicable to TJs): Means that a worker has been employed:

- 1) With three (3) or more different employers during the past five (5) years; or
- 2) With a staffing agency for at least six (6) months during the past two (2) years; or
- 3) With a staffing agency for at least 15 months during the past five (5) years; or
- 4) In the United States Armed Forces and is a veteran who is discharged within the past five (5) years and employed for fewer than 24 months (2 years).

The goal of TJs is to establish a work history for the individual to demonstrate success in the workplace and to develop skills that leads to their entry and retention in unsubsidized employment.

COMPOSITION OF TJ WORK EXPERIENCE (WEX): Individuals determined to benefit from the TJ program will:

- 1) Be determined eligible in accordance with the GLOW Priority of Service Policy. In addition to priority of service, additional barriers will be documented including chronic unemployment, inconsistent work history, disabilities, English Language Learners and those who are basic skills deficient.
- 2) The service provider staff, through interview, evaluation, comprehensive assessments, and career planning, will determine the appropriateness of this activity for the individual struggling to secure stable employment.
- 3) Service provider staff will coordinate with local employers to develop short-term work experience placements.
- 4) Employers will provide a detailed job description for the work activity that the individual will participate in, and written agreements will be completed between the service provider and the employer.
- 5) Transitional jobs activities will be limited to 160 hours. Rates of pay will not exceed the wage rate for similarly employed workers or workers with the same job title at the business to be documented in the Worksite Agreement. Businesses will be reimbursed 100% for actual hours worked. Overtime, holiday pay, sick, and vacation time will not be reimbursed.
- 6) A maximum of 10% of the combined Dislocated Worker (DW) and Adult funds can be spent on TJ training.
- 7) Supportive services will be available as defined in the GLOW Supportive Services Policy.

RECRUITMENT AND MARKETING STRATEGIES

Connecting to Businesses:

Recruitment and marketing strategies to identify businesses to participate in the program and TJ opportunities that would require limited work experience may include, but are not limited to:

- Businesses listing jobs with the New York State Department of Labor (NYSDOL).
- Previous job placements. Good sources of recruits for TJs are businesses that have hired job seekers in the past. Internal program reporting will have identifying information for these businesses.
- Press releases or business e-newsletters/email blasts maintained by any partner agencies.
- Business workshops where information is presented regarding the advantages of using a TJ to find and keep talent.
- Recognized economic development agencies or industry organizations. Most businesses belong to local chambers of commerce or trade organizations within their own industries, so these are good points of contact to meet employers and discuss employer-based training programs.
- GLOW WDB members along with locally established industry groups will be accessed for possible TJ opportunities.

Connecting to Candidates:

- Jobseeker outreach to identify candidates for known TJ opportunities will include, but is not limited to: Searches of OSOS as well as any internal tracking systems for candidates, etc.
- Outreach to Career Center and partner staff to identify potential customers they are currently working with, including recent graduates from training programs through Individual Training Account (ITA) funding.
- Agreements may be made with local government or One-Stop partner agencies to accept referrals of their program participants and/or leverage federal, state, or other funds to cover costs above or beyond what is allowable under WIOA.

IDENTIFICATION OF POTENTIAL BUSINESSES

Businesses eligible as TJ WEX contractors must meet the following criteria:

1. The business must provide information, including their Federal Employer Identification Number (FEIN), to demonstrate they are a legitimate employer with full-time employees and are conducting their business at an appropriate worksite. The business cannot be suspended or debarred from being a recipient of public funds.
2. The business must be in compliance and agree to follow all local, state and/or federal labor laws to participate in the program.
3. The business must provide a working environment which conforms to federal and state health and safety standards.
4. Transitional jobs provide an individual with work experience and an opportunity to develop important workplace skills within the context of an employee-employer relationship. The employer of record may be the provider or the employer.
5. TJ WEX contractors may not include businesses that have relocated, either in whole or in part, if such relocation resulted in the loss of employment for any employee of the company at the original location, until the company has operated at the location for 120 days.
6. Presently employed workers cannot be fully or partially displaced by a TJ WEX participant, including a partial displacement such as a reduction in hours, wages, or employment benefits.

IDENTIFICATION OF TRAINING CANDIDATES

The TJ participant must meet the current eligibility criteria as defined by WIOA under its current definitions. The individual must receive an Individual Service Strategy (ISS). The potential trainee should also express an interest in the area of work and the ability and willingness to learn and/or perform the skills outlined in the job description.

1. The service provider staff is responsible for participant intake and referral for the program. Marketing and recruitment strategies are outlined in this policy.
2. TJ is appropriate for participants who possess barriers to employment because of chronic unemployment and/or inconsistent work history.
3. Individuals considered for the TJ program must be deemed eligible for training funds by a member of the service provider staff. Participants must receive an initial assessment and complete an ISS. All of the required data elements will be documented in OSOS and retained in the participant's file if required by NYSDOL Data Element Validation (DEV) guidelines.

Service providers must follow the GLOW Priority of Service Policy.

The following individuals will not be eligible for WIOA TJ funding:

- Former temporary or contract workers of the business who have performed the job.
- Previous employees and immediate family members of the employer.

OCCUPATIONAL REQUIREMENTS

The following guidelines will determine whether a position may be considered a suitable employment opportunity for TJ WEX:

1. A detailed job description must be provided by the business outlining the required skills and for the position.
2. The job must pay the minimum entrance wage rate for workers in the same occupation in the organization and not exceed \$25.00/hour to be eligible for WIOA TJ funding. **This must be verified and documented in the Worksite Agreement and in OSOS Comments.**
3. TJ WEX funding cannot be used to fund commission-based positions.
4. The position must not include political or religious activity.

Business Application Process for Transitional Jobs

1. Interested businesses must complete the Responsibility Questionnaire and Preliminary Business Application, which are located at www.glowworks.org. The completed Responsibility Questionnaire and Preliminary Business Application are sent to the GLOW WDB Staff, Michelle Williams or Tracy VanVleck, at Michelle.Williams@geneseeny.gov and Tracy.VanVleck@geneseeny.gov or faxed to: (585) 344-4495.

2. The GLOW WDB Staff will submit business information to NYSDOL at OJTduediligence@labor.ny.gov to begin the vetting process and conduct a Pre-Award Review consisting of the following steps:
 - a. Verification of completion of the Responsibility Questionnaire presented in Attachment D or completion of the Attestation Form.
 - b. Registration with the NYS Department of State's Division of Corporations on-line at: http://www.dos.ny.gov/corps/bus_entity_search.html.
 - c. Check of federal OSHA records on-line at: <http://www.osha.gov/pls/imis/establishment.html>.
 - d. In the event that a business checks "Yes" on any portion of the Responsibility Questionnaire, the GLOW WDB Staff will require the business to submit a brief written description of the issue and indicate whether or not the matter has been resolved. A copy will be placed in the file.
3. The GLOW WDB Staff will inform the service provider when they can proceed with the business on the TJ process upon approval from NYSDOL (approximately 3 days).
4. In addition, an on-site review must be conducted with the businesses prior to the TJ participant's start date. This review will allow staff to see where the TJ participant will be working, meet the trainee's supervisor, and gain a better understanding of the business' facility and operations. The site visit may also determine whether the employment opportunity will afford a viable TJ opportunity. The Transitional Jobs Monitoring Form must be completed and sent to GLOW WDB Staff.

OVERVIEW OF ROLE OF THE GLOW SERVICE PROVIDER

The role of the service provider staff is to determine eligibility, screen and assess candidates, develop and maintain pools of TJ WEX eligible candidates, referral, and placement into TJ WEX positions, counseling of participants, and appropriate follow up. Additionally, service provider staff is also responsible for agreement development, monitoring, and submitting reimbursement forms to the Livingston County Principal Account Clerk for payment. GLOW WDB staff will conduct program monitoring of the TJ WEX and the Grant Recipient will conduct fiscal monitoring of the TJ WEX.

Worksite Agreements and Participant Payroll Records

The local service providers are authorized to establish their own worksite agreement for the TJ WEX program. The following documents are required for any WEX and hard copies must be kept on file with participant records at the service provider's location where files are stored:

- The ISS detailing duties a participant will complete while engaged in WEX;
- Job description;
- All necessary tax forms; and
- The executed Worksite Agreement, which must include business name and address, contact name and title, job description, start and end dates, hours, pay and **that the employer verified that the pay is the minimum entrance wage rate for workers in the same occupation in the organization**, the employer of record, and responsibilities of all parties.

WIOA Eligibility of Participants - All training requests must follow the GLOW ITA Policy. Prior to approval of any Adult, DW, 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 case notes documenting eligibility;
- An Objective Assessment;
- A completed 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:

Training Approval – Staff will complete the GLOW WDB Training for Adult and DW WIOA Funds Approval Form **for each WIOA customer and submit it to the Executive Director of the GLOW WDB for final approval before the training starts.**

Total OJT expense limit of 10% of the combined Adult & DW allocation will be tracked by the Principal Account clerk month and monitored by the GLOW WDB ED.

OSOS Data Entry – On the day the TJ training service starts, staff must enter the appropriate service in OSOS. TJ WEX is entered as a non-ITA training.

Duration of Work Experience and Worksite Monitoring

WEX are planned, structured learning experiences that occur in the workplace for a limited period of time. Each participant will be allotted a maximum of 160 hours for the duration of their WEX, TJs cannot exceed more than 10% of the Adult and DW PY allocations being charged, 7/1– 6/30.

The counselor is responsible for a series of duties while a participant is completing their TJ WEX, including:

- Counselor must ensure that they have OSOS updated with information about the WEX with corresponding Funded Service, Achievement Objective and Comment, within 5 days of making the referral, per documentation policy.
- Ensure that the participant is completing their shifts and meeting worksite expectations.
- Follow up with the participant to track their progress and professional development.
- Communicate with the worksite supervisor to check in and resolve any issues.
- Conduct worksite monitoring prior to transitional jobs participant starting and at least once during the TJ WEX to ensure compliance with agreement terms and to help resolve any issues, **ideally around the mid-point of the training period.** The Transitional Jobs Monitoring Form must be completed and sent to GLOW WDB Staff.
- Inform all parties as the work opportunity is nearing its end.
- Develop/update participant’s resume to include skill gains and work experience. In this assignment, the counselor should oversee and assist the participant in the developing/updating of the resume.

Communication should take place with the worksite supervisor within the first week of the participant starting in their TJ position. If there are any immediate issues, it is the responsibility of the counselor to collaborate with the participant, supervisor, and other necessary staff or partners to find a solution. If the severity of misbehavior from a participant at a worksite exceeds a tolerable level, that worker can be terminated from their work opportunity and will be removed from the TJ

WEX program. In the instance where a participant is in good standing, but is not a good fit with the worksite, this participant can be referred to a different placement.

Overall, it is the responsibility of the counselor to meet the needs of the business and to maintain a successful working relationship.

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

Employer of Record – The worksite employer will keep timesheets/timecards to verify participant hours worked. The participant will attest to their time worked by signing or by electronic signature on the timesheet. The supervisor will also sign the participant timesheet indicating their approval of the participant’s timesheet. The employer will submit verification of payroll, hours worked, timesheets/timecards, etc. at the completion of the TJ. Once all information is collected and verified, staff will submit the wage reimbursement to Livingston County Principal Account Clerk, to be processed. The reimbursement check will be sent to the business or service provider based on who the employer of record is.

**GLOW TRANSITIONAL JOBS FOR ADULT AND DISLOCATED WORKER (DW) FUNDS
TRANSITIONAL JOB WORK EXPERIENCE (WEX) APPROVAL FORM**

Must be submitted prior to Training to GLOW WDB Director Tracy.vanvleck@geneseeny.us)

Service provider name: _____ Date: _____
Customer's last name, first initial: _____, _____ OSOS ID#: _____
WEX site/location: _____ WEX start date: _____ WEX end date: _____
Estimated # of hours: _____ Estimated amount of funding: _____
Summary of situation: _____

SUPPORTIVE SERVICES

Service provider name: _____ Date: _____
Customer's last name, first initial: _____, _____ OSOS ID#: _____
Type of supportive services: _____
Estimated amount and type of funding for Supportive Services: _____
Is staff aware of any other free resources available to help the customer with these needs? _____ Yes
or _____ No
Summary of situation: _____

SIGNATURE

Service provider signature _____ Date: _____

Approval by WDB Executive Director

Name: Tracy VanVleck _____ Date: _____

Signature: _____

C: Kristine Langless, GR

Total TJ expense _____