


<b>MARICOPA COUNTY</b>  HUMAN SERVICES DEPARTMENT Workforce Development Division	<b>SECTION/REFERENCE</b> PL 101(31) PL 181 (a)(1)(A) 20CFR 663.700	<b>PAGE 1 OF 6</b>
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<b>SUBJECT:</b> On the Job Training		<b>ADDENDA:</b> N/A

**Purpose:**

The purpose of On-the-Job Training (OJT) is training in the private or public sector given to a participant who after objective assessment, and in accordance with the ISS, has been referred to and hired by the employer following the development of an agreement with the employer to provide occupational training. OJT occurs while the participant is engaged in productive work which provides knowledge and skills essential to the full and adequate performance of the job. OJT may be sequenced with or accompanied by other types of training such as vocational training or basic skills training. OJT will include the following:

- To learn a bona fide skill rather than simply employment, and
- To qualify for a particular occupation through demonstration and practice.

OJT will place individuals in entry level positions to which they would not normally have access.

**Note: Employment of an OJT participant with his or her previous employer in the same, similar or upgraded job is not allowed.**

The contractor/employer and participant should be aware that with the initial placement into OJT, the participant becomes an employee of the contractor with the same rights and privileges as any other new hire. A participant who has been trained by one employer, through an OJT contract, may be placed in a comparable, training related position with another employer. The youth contractor will continue to serve the individual as a WIA participant until the OJT and follow-up are completed.

The youth contractor cannot claim OJT placement until all contracted hours have been worked.

WIA Law, PL 105-220, Sec/ 181(a)(1)(A), specifies that participants shall be provided with wages and employment benefits, including health benefits and working conditions 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.

**Responsibility Of:**

WDD Staff, Contractor

**Process Description:**

The involvement of the private or public sector in the hiring of WIA participants through OJT must be given careful consideration. Youth contractors must research and evaluate a number of critical areas. These will be discussed in length in this manual and will contain the following:

- Demand Driven Quality Training Concept
- Selection of Occupations
- Selection of the Employer (Contractor)
- Contracting Process
- Length of Training
- Reimbursement Rate
- Reimbursement Process
- Evaluation Process
- Consultation with Labor Organizations
- Reverse Referral

### **Demand Driven Quality Training**

The concept of “demand driven” training is based on an overriding consideration about the availability of qualifying occupations that are in demand in Maricopa County. Qualifying, demand driven occupations are determined to be occupations in sectors of the economy that have high potential for sustained demand or growth and are directly linked to employment availability in Maricopa County. There are three stages to the “quality” aspect of demand driven quality training. The first stage includes **client selection and match to services**. The following questions can be asked about the quality of client selection and matched to training to determine whether this stage of training resulted in a good match between participants and courses of instruction:

- The service provider will have clear goals about how to target services to particular groups within the WIA eligible population and offer services that are appropriate to the needs of the targeted groups.
- The service provider will conduct an assessment of the applicants' skills and interests that enable them and the client to determine what type(s) of training are most appropriate.
- The Individual Service Strategy (ISS) addresses all the employment barriers facing the WIA enrollee.
- The service provider will have recruitment and screening practices that ensure that the trainee enrolled in each program has sufficient preparation to successfully complete the course curriculum, without creating unnecessary barriers to enrollment.

The second stage in the model of demand driven quality training is the **provision of job relevant instruction**, provided either by an instructor in a classroom setting or by a trainer/supervisor in an on-the-job setting. The following questions will be addressed about the quality of instruction in each of the training programs:

- The training objectives are clear.
- The curriculum content is relevant to the job skills required for getting and keeping a job in the occupation for which the trainee is being prepared.
- The program design encourages the coordination of basic skills remediation and occupational skills training.

- The instruction uses techniques that promote active learning (i.e., learning by doing) on the part of the trainee.
- The instruction emphasizes "training for transfer", i.e., teaching participants when to utilize specific approaches and techniques in a variety of real-life problem situations.
- The instructors/trainers systematically assess the progress of trainee. Instructors/trainers are sensitive to the learning problems experienced by individual WIA trainees, and are able to adapt to a variety of instruction styles.

The final stage in the delivery of demand driven quality training is the **job placement process**, which is intended to lead to **quality employment outcomes**. In assessing the placement process and employment outcomes experienced by recent graduates of the training programs studied, the following questions were asked about the quality of the three-way match between the trainee's employment goals, the skills acquired during training, and the features of the job obtained:

- The trainee receives individualized placement assistance with the objective of matching each job seeker to the particular type of employment he or she wanted as per the Individual Service Strategy.
- The job obtained after training takes advantage of the full range of skills learned during training. The job will be training related.
- The employer will find that the graduate of the training program has the necessary skills to perform the occupation for which they were prepared.
- The WIA participant will have advantages in terms of wage and fringe benefits or opportunities for advancements due to training received as opposed to securing a position "off the street" without participating in training.

### **Selection of Occupations**

Youth Contractors are to exercise extreme caution in selecting not only the OJT Contractor but also the occupation for which training will be provided. On-the-job training is intended to enable WIA participants to enter skilled occupations that will lead them to economic stability and self-sufficiency. The guiding principle in selecting jobs for OJT positions must be "Is this in the best interest of the participant?" Secondly, OJT positions should be in demand growth occupations identified in the local labor market information available. The following criteria may be considered in selecting the job or in a larger context the occupation, for which training will be provided.

1. The job must require specific occupational training which can be learned while engaged in productive work (Section 101(31)).
2. The job must pay no less than the highest of the minimum wage prescribed under the Fair Labor Standards Act of 1938, as amended or applicable state or local minimum wage laws (Sec. 181(a)(1)(A)).
3. The position must pay the participant a wage that equals or exceeds the Local Workforce Investment Area (LWIA) average Title II-C placement wage for the preceding program year or the applicable State or local minimum wage law. (Sec. 181(a)(1)(A)).

4. The job, and its career ladder, must be a logical step in achieving the occupational objectives outlined in the participant's ISS.
5. The wages should be adequate to provide the participant and his/her family with economic self-sufficiency. This involves an analysis of labor market trends and demand occupations, as well as in-depth assessment of the participant's financial needs.
6. The OJT positions must be a new or vacant position which does not displace currently employed workers. (Section 181(b)(2)(A)).
7. Participants who have been hired by employers and then referred to the program may not be accepted for OJT.

Wages for all positions reimbursed through the OJT process must be at the same rates, including periodic increases, as trainees or employees in similarly positions with the same employer, and in accordance with applicable law. (Sec. 181(a)(1)(A)).

### **Unacceptable Occupations**

Youth Contractors should not fund OJT contracts in the following instances:

- A. Those industries in which the employer has traditionally provided the necessary instructions without the need for federal assistance.
- B. Occupations with a substantial number of, experienced and able workers who are presently unemployed.
- C. Industries which have reduced work force levels in order to hire under OJT.
- D. Employers who will pay their trainees on a commission basis.
- E. Employers which have relocated to Maricopa County after they have caused substantial unemployment in their previous working location.
- F. When there appears to be a conflict of interest or nepotism violation. These should be brought to the attention of the WIA-Contract Administrator.

### **Contracting Process**

When an employer with the potential for delivering an OJT program has been identified and the WIA participant has been referred, interviewed and accepted by the employer, the Youth Case Manager will gather the necessary information and write the contract. OJT participants must be hired on the effective date of the contract. **OJT contracts should not be written to carry over into a new fiscal year. When the OJT period carries over, separate contracts must be written to correspond to the applicable fiscal year.**

Each OJT training contract shall:

- Specify the types and duration of OJT and other services to be provided in sufficient detail to allow for a fair analysis of the reasonableness of proposed costs; and
- Contain a Job Description

The Contractor staff shall attach the employer's job description; if the employer does not have one, a job description should be developed based upon: verbal interview with the employer, with employees who are currently doing this job, and information from the O\*NET web site.

The OJT provisions shall be reviewed with the prospective OJT Contractor/Employer. The Youth Contractor should be thoroughly familiar to answer the prospective OJT Contractor's/Employer's questions.

\*Comply with the applicable requirements of Section 134 of The Act.

### **Reimbursement Rate**

OJT Contracts will be negotiated by the Youth Case Manager and may be reimbursed at a rate of up to fifty (50) percent of the participant's hourly wage.

### **Reimbursement Process**

Youth Contractors should establish a written policy for reimbursement with OJT contractors and should reimburse for training once a month. The OJT participant along with the Youth Case Manager and OJT employer will sign the invoices. On site visits to each participant's OJT training site to conduct the following activities:

- Verification of attendance sheets at the training site
- Verification of hours in attendance
- Monthly review with supervisor of the participant's progress
- Obtain all invoices and submit to your contract specialist

### **Evaluation Process**

Ongoing evaluations of the participant's progress in the OJT should be completed by the employer. Follow-up action when deficiencies occur will be noted by the employer.

### **Consultation with Labor Organizations**

The Act requires consultation with the appropriate labor organization where the proposed OJT would impair an existing collective bargaining agreement. (WIA Law - Section 181 (b)(2)(B).

"However, in other circumstances, informal consultation with organized labor on the nature and scope of proposed OJT can help to insure its quality and relevance."

### **Reverse Referral**

An individual referred to WIA by an employer may not be enrolled in an OJT program, with that employer, unless there is a WIA objective assessment and ISS documenting the OJT as an appropriate activity and the employer has not already hired the individual. The following criteria should be addressed, prior to placement in an OJT:

- A. The participant's basic education, transportation, child care, medical and dental and other supportive service needs have been met.
- B. The participant is assessed to have the potential to complete a specified training program with limited supervision.
- C. The participant has demonstrated definite interest in the job training that will be provided through OJT.
- D. The location and environment in which the participant prefers and is able to work has been determined.
- E. Participants possessing some of the skills required in the OJT may be considered only if the:
  - 1. Assessment results indicate definite participant interest and aptitude for the specific vocational area.

They have experienced barriers to employment, e.g., outdated skills. If this is the case, justification must be documented in the ISS and the OJT will enhance current skills that will lead to job placement.