Region VI Workforce Development Board 17 Middletown Road White Hall, WV 26554	Classification: Customized Training
	Date: January 10, 2022

Reviewed: 10/9/26	Next Review Date: 10/9/31

Region VI Guidance Letter 11-16, R-2

To: All WorkForce West Virginia Center Managers and staff
All WIOA Career Planner/Eligibility Determination staff
All Local Service Providers

From: Region VI Workforce Development Board (Region VI WDB)

Subject: Customized Training for Adults and Dislocated Workers

1. PURPOSE: To establish policy on requirements and benefits available under Region VI Workforce Development Board Adult and Dislocated Worker funded Customized Training Activities.

2. REFERENCE: WIOA Section 3(14) and 20 CFR, Parts 680.710(c) and 680.760-770.

3. BACKGROUND: The Workforce Innovation and Opportunity Act provides for customized training activities. Customized training is training is designed to meet the needs of an employer or group of employers in the public, private non-profit, or private sector. A contract may be developed between the employer or registered apprenticeship program sponsor and the Region VI WDB in the form of a reimbursement to an employer of not more than 50 percent of the employer's cost of training WIOA eligible participants to compensate for the employer's extraordinary costs of training individuals. The training is conducted with a commitment by the employer to employ an individual upon successful completion of the training.

4. ACTION: 1) Customized training shall be for an occupation for which there is a demand in the area served or for occupation(s) determined to be in sectors of the economy having a high potential for sustained demand or growth and or job retention. Region VI defines a "Demand Occupation" as:

A. Occupations listed on the current list of West Virginia Demand Occupations for Workforce Investment Area 6; or

B. Occupations showing a minimum of 2% growth rate on the current list of Long Term West Virginia Demand Occupations for Workforce Investment Area 6; or

C. Occupations showing a minimum of 25 projected openings on the current list of Long Term West Virginia Demand Occupations for Workforce Investment Area 6; or

*Additionally, for purposes of funding WIOA customized training, a Demand Occupation will include all the above provisions, plus documentation of support

employment in customized training occupation following completion of training.

2) Customized training opportunities should be encouraged in occupations providing upward mobility and development of new careers and/or job retention.

3) Authorized customized training for a participant shall be limited to a period of time generally required for the acquisition of skills needed for the position within a particular occupation. The training plan for each individual must document:

A. How training was justified
B. How current skills were evaluated
C. How the training length was determined based on existing skills.

4) Customized Training contracts may be written for employed workers under the following conditions, which include, but are not limited to:

A. The employee is not earning a self-sufficient wage or wages comparable to or higher than wages from previous employment; and
B. The training relates to the introduction of new technologies, new production or service procedures, upgrading to new jobs that require additional skills, and or workplace literacy.

5) The employer shall select the training provider and approve the curriculum. Training services can be provided through the following:

A. Community colleges, school districts, area vocational technical centers, state universities, or licensed and certified private institutions and community based organizations.
B. Conducting the training at the business's own facility, at the training provider's facility or at a combination of sites.
C. Instruction provided by either full or part-time educators or professionals from the business
D. Online and/or distance learning courses only under certain circumstances – will be decided upon on a case-by-case basis.
E. On the job training provided by the employer.

6) The employer requesting customized training assistance must be in good standing with the West Virginia State Unemployment Insurance and Worker's Compensation systems. The employer must also be in compliance with all applicable West Virginia state tax laws and current with all West Virginia state taxes payable by the employer to the state of West Virginia.

If awarded funding for Customized Training, the employer agrees to:

* Train the participant for the job through a structured approach;
* Retain the participant at the end of training;
* Be in compliance with all appropriate state and federal laws as required (WC, UI, OSHA, etc.)
* Agree to provide the same benefits and working conditions as those similarly employed at the company.

Conditions under which training will not be approved:

* Training for positions which are seasonal, intermittent or temporary employment
* Employment that is less than full time
* Jobs that pay less than minimum wage
* Occupations that are not demand occupations as identified by Region VI Workforce Development Board
* Jobs which would result in the displacement of any currently employed worker, including partial displacement such as a reduction in amount of non-overtime work, wages, or employment benefits.
* Jobs that, if filled, would replace any worker who is on layoff or involved in a labor dispute.

* Jobs that would impair an existing contract for services or collective bargaining agreement and no such activity that would be consistent with the terms of a collective bargaining agreement shall be undertaken without the written concurrence of the labor organization and the employer concerned.
* Jobs with an employer who has exhibited a pattern of failing to provide WIOA funded training participants with continued long-term employment as regular employees with wages and working conditions at the same level as similarly situated employees.
* The employer has relocated to the region from another location in the United States within 120 days and if the relocation resulted in jobs lost by employees at the original location.

Funding Award Guidelines:

* Employers, at a minimum, must provide a 50% matching contribution to the training project. The match may be in the form of cash or negotiated in-kind as approved by the Region VI WDB.
* No reimbursements will be given for employer's training costs incurred prior to the approval of the training by the Region VI WDB.
* Region VI WDB retains the right to terminate or reduce funding, in whole or in part, if sufficient local, State or Federal funds are not available.

Reporting Requirements:

* Each funded employer will submit to the Region VI WDB data on each trainee including: name, date training started and ended, total number of hours of training completed, date hired and starting wage. *In the case of current employees, additional data to submit includes job title before and after training, wage before and after training, and whether the trainee was advanced to a higher level*.

Reimbursable Training Expenses must be pre-approved and may include, but not be limited to:

* Instructors'/trainers salaries (actual time of instruction/training)
* Curriculum development
* Tuition / delivery of training costs
* Textbooks / manuals
* Materials, supplies, and training equipment only under certain conditions - (to be determined on a case-by-case basis – dependent upon the use of the supplies during training – Ex.-If a finished product is completed during training, and then sold for profit by the employer, the cost of the materials and supplies for that training would not be considered reimbursable.)
* Trainee wages under certain conditions – to be determined on a case-by-case basis.
* Trainee travel time under certain conditions – to be determined on a case-by-case basis.

Non-Reimbursable Training Expenses, including, but not limited to:

* Purchase of capital equipment (production equipment)

The Region VI Workforce Development Board Executive Director may waive provisions of this policy when the Executive Director determines it is necessary in order to serve individuals with special circumstances.

IMPLEMENTATION
DATE: Effective January 10, 2022, until rescinded or modified by the Region VI Workforce Development Board.