

Region VI Workforce Development Board 17 Middletown Road White Hall, WV 26554	Classification: <b>On-the-Job Training Policy</b>
	Date February 25, 2022

**Region VI Guidance Letter No. 3-15, R-8**

To: All WorkForce West Virginia Managers and staff  
All Career Planners/Eligibility Determination Staff  
All Local Service Providers

From: Region VI Workforce Development Board (WDB)

Subject: On-the-Job Training Policy

1. PURPOSE: To establish policy on requirements and benefits available under Region VI Workforce Development Board Dislocated Worker/Adult funded On-the-Job Training activities.
2. REFERENCE: The Workforce Innovation and Opportunity Act (WIOA) sec 3(44), sec 134( c)(3)(G)(ii)(II),sec 134( c)(3)(H), and 20 CFR 680.700-750.
3. BACKGROUND: The Workforce Innovation and Opportunity Act provides for On-the-Job training activities (hereinafter referred to as OJT). OJT is training by an employer that is provided to a paid participant while engaged in productive work in a job that:
  - A) provides knowledge or skills essential to the full and adequate performance of the job;
  - B) provides reimbursement to the employer of up to 25%-75% of the wage rate of the participant for the extraordinary costs of providing the training and additional supervision related to the training; and
  - C) is limited in duration as appropriate to the occupation for which the participant is being trained, taking into account the content of the training, the prior work experience of the participant, and the service strategy of the participant as appropriate.
4. POLICY: The Region VI Workforce Development Board will authorize the use of WIOA Dislocated Worker (DW) monies (dependent upon the availability of DW funds in the current budget year) to fund OJT activities within the region for customers who: meet the definitions of a Dislocated Worker; and reside in Region VI; or reside out-of-state/out-of-region and whose most recent dislocation was from a business located in Region VI.

The Region VI Workforce Development Board will authorize the use of WIOA Adult (AD) monies (dependent upon the availability of AD funds in the current budget year) to fund OJT activities within the region for customers who: meet the definitions of an Adult; and reside in Region VI.

Region VI will write OJT's for eligible customers of the Region VI service area with companies located in or outside of the Region VI service area.

OJT's will only be written for positions providing full time, permanent employment. (The only exception to this provision could be contracts written with employers for an apprentice participating in an apprenticeship program.)

Region VI will reimburse 50% - 75% of the training wages for those employers paying \$10 an hour or more to eligible OJT participants, based on the size of the employer at the specific location of training as follows:

EMPLOYER SIZE	MAXIMUM REIMBURSEMENT RATE
1-99 employees	75% of wages
100 + employees	50% of wages

**OR**

Region VI will reimburse 25% of the training wages for those employers paying less than \$10 hour, but not less than \$8.75 an hour to eligible OJT participants (regardless of the employer size).

OJT contracts will not be written with an employer who has previously exhibited a pattern of failing to provide OJT participants with continued long-term employment with wages, benefits, and working conditions that are equal to those provided to regular employees who have worked a similar length of time and are doing the same type of work.

Funds provided to employers for OJT must not be used to directly or indirectly assist, promote or deter union organizing.

Funds provided to employers for OJT shall not be used to displace (including a partial displacement, such as a reduction in the hours of non-overtime work, wages, or employment benefits) any currently employed employee (as of the date of the participation).

An OJT contract cannot be written with an employer for a participant if:

- >Any other individual employed by the employer is on layoff from the same or any substantially equivalent job; or
- >The employer has terminated the employment of any regular employee or otherwise reduced the workforce of the employer with the intention of filling the vacancy so created with the OJT participant; or
- >The job is created in a promotional line that will infringe in any way upon the promotional opportunities of currently employed individuals (as of the date of the participation).

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 February 25, 2022 until rescinded or modified by the Region VI Workforce Development Board.