

FloridaWorks Standard Operating Procedure (SOP)

FloridaWorks
408 W. University Avenue, Suite 501
Gainesville, FL 32601
Tel: 352-955-6096 / Fax: 352-955-6511

SOP Number:	Subject: Employed Worker Training
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AE Executive Director <i>Angela Pate</i>	FloridaWorks Chair <i>Frank McGeown</i>

PURPOSE

The purpose of this document is to provide guidelines for the provision of WIA-funded training services to employed workers. As part of its continued efforts to build a highly skilled workforce in Alachua & Bradford Counties, the Alachua/Bradford Regional Workforce Board d/b/a FloridaWorks ("Board") announced the release of the EMPLOYED WORKER Award Grant (Grant). The Grant will assist local organizations with certain expenses associated with the skills upgrade (training) of its fulltime employees. With this Grant, the Board will award individual companies based on eligibility, the quality of the application, and availability of Grant funds.

POLICY

It is the policy of the Board to provide exceptional service to all customers. We will meet this goal by developing a process where eligible employed workers are assisted through the use of workforce services and closely monitored to ensure success.

GUIDELINES

EMPLOYED WORKERS

The **employed worker** is an employed individual who is served at the local level. These individuals may be served with local level formula adult funds if they do not qualify as a dislocated worker. In order to receive WIA intensive or training services, the WIA eligibility requirements at 20 CFR 663.220(b) and 663.310 must be met.

20 CFR 663.220(b)

b) Adults and dislocated workers who are employed, have received at least one core service, and are determined by a One-Stop operator to be in need of intensive services to obtain or retain employment that leads to self-sufficiency, as described in §663.230.

20 CFR 663.310

§663.310 who may receive training services?

Training services may be made available to employed and unemployed adults and dislocated workers who:

- (a) Have met the eligibility requirements for intensive services, have received at least one intensive service under §663.240, and have been determined to be unable to obtain or retain employment through such services;
- (b) After an interview, evaluation, or assessment, and case management, have been determined by a One-Stop service provider or One-Stop partner, to be in need of training services and to have the skills and qualifications to successfully complete the selected training program;
- (c) Select a program of training services that is directly linked to the employment opportunities either in the local area or in another area to which the individual is willing to relocate;
- (d) Are unable to obtain grant assistance from other sources to pay the costs of such training, including such sources as Welfare-to-Work, State-funded training funds, Trade Adjustment Assistance and Federal Pell Grants established under title IV of the Higher Education Act of 1965, or require WIA assistance in addition to other sources of grant assistance, including

Federal Pell Grants (provisions relating to fund coordination are found at §663.320 and WIA section 134(d)(4)(B)); and

(e) For individuals whose services are provided through the adult funding stream, are determined eligible in accordance with the State and local priority system, if any, in effect for adults under WIA section 134(d)(4)(E) and §663.600. (WIA sec. 134(d) (4) (A).)

Individuals may be granted services by:

1. Documenting that they are in need of services in order to obtain **or retain** employment that allows for self-sufficiency, in accordance with the locally established definition of that term.
2. Employed workers who currently meet the local definition of self-sufficiency, but who need services in order to retain their self-sufficient employment, may be served if documentation is obtained from the employer, verbally or in writing, that the employee(s) will not be retained unless additional training or services are received. (The funding for this activity comes from the WIA local adult allocation).

The employed worker may also be served at the local level as a dislocated worker if the individual meets the criteria found in WIA section 101(9); i.e., has been terminated or laid off, has received a notice of termination or layoff, or is employed by a facility that has made a general announcement of a pending plant closure; or was self-employed but is unemployed as a result of general economic conditions or a natural disaster, or is a displaced homemaker.

In many instances dislocated workers are unemployed; however, some may have received a notice of termination or layoff but remains temporarily on the job.

Dislocated workers who have become re-employed in "income maintenance" jobs (a job with a lower rate of pay than the job of dislocation) may be served as long as the wage earned does not exceed the local criteria for self-sufficiency for dislocated workers. For dislocated workers who have become employed prior to eligibility determination, earnings comprising a certain percentage of the wage earned at the time of dislocation may be the most appropriate to use for determining eligibility. (The funding for this activity comes from the WIA local dislocated worker allocation).

1. A dislocated worker under WIA Section 101(9) is:
 - a. An individual who:
 - (1) Has been terminated or laid off, OR has received a notice of termination or layoff, from employment;
 - (2) Is eligible for or has exhausted entitlement to unemployment compensation, OR has been employed for a duration sufficient to demonstrate to appropriate staff of the One-Stop Center attachment to the workforce but is not eligible for unemployment compensation due to insufficient earnings or having performed services for an employer not covered under the state's unemployment compensation law; AND
 - (3) Is unlikely to return to a previous industry or occupation.
 - b. An individual who:
 - (1) Has been terminated or laid off, OR has received a notice of termination or layoff, from employment as a result of any permanent closure of, or any substantial layoff at, a plant, facility or enterprise; or
 - (2) Is employed at a facility at which the employer has made a general announcement that such facility will close within 180 days; OR is employed at a facility at which the employer has made a general announcement that such facility will close. [NOTE: Eligibility for other than Core Services requires an announcement by the employer that the facility will close within 180 days, or an individual layoff notice.]
 - c. An individual who was self-employed but is unemployed as a result of general economic conditions in the community in which the individual resides or because of natural disasters, as defined by a state.

- d. An individual who has been providing unpaid services to family members in the home and who:
 - (1) Has been dependent on the income of another family member but is no longer supported by that income; AND
 - (2) Is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.

PARTICIPANT ELIGIBILITY

The employed worker must meet statutory definition of eligible adult or dislocated worker, and determined by the One-Stop operator to be in need of training to obtain or retain employment that allows for self-sufficiency.

Employed workers who meet or exceed the local definition of self-sufficiency but may need services to retain their employment may be served with documentation from the employer (verbal or in writing) indicating that the employed worker will not be retained unless training services are received. [See 20 CFR 663.220(b); 663.230; 663.310].

Local Definition of Self-sufficiency – Alachua/Bradford

1. For an individual who is served with WIA Adult funds, self-sufficiency is defined as income that is more than 250% of the Federal Poverty Guidelines adjusted for family size for the six-month period immediately prior to application for services.

The following local criteria determines whether a person is dependent or independent when determining family size and self-sufficiency:

- a. A person is determined to be dependent when he/she resides in a single family residence with other family members and is claimed on his/her parent(s) or legal guardian's income tax return. As a dependent, determination of self-sufficiency is based on the income of everyone living in the household.
 - b. A person is determined to be independent when he/she resides in a single family residence with other family members and is NOT claimed on his/her parent(s) or legal guardian's income tax return. As an independent person, determination of self-sufficiency is based on the income of that individual only.
2. For an individual who is served with WIA Dislocated Worker funds, self-sufficiency is defined as income of not less than 80% of the earnings prior to job separation.

Note:

Employed workers must receive at least one core service (e.g. intake) and one intensive service (e.g., assessment) before training services can be provided. Customized training can only be provided to those individuals who meet the RWBs definition of self-sufficiency.

PROGRAM REQUIREMENTS – Businesses

- Business must have operated in Alachua or Bradford Counties, fully licensed, for at least one year;
- Business must employ at least two full-time employees;
- Business must be current on all federal, state and local tax obligations;
- Business must demonstrate financial viability;
- Training is for existing employees who are income-eligible for training, or are in danger of losing their jobs due to a trainable skills gap;
- A business that is selected to receive grant funding must provide a matching contribution to the training project, including, but not limited to, wages paid to trainees or the purchase of capital equipment used in the training project;
- Business must provide credentials to every employee that completes the training;

- Must sign an agreement with Workforce Florida, Inc., or the grant administrator to complete the training project as proposed in the application;
- Must keep accurate records of the project's implementation process; and must submit monthly or quarterly reimbursement requests with required documentation.

All Employed Worker Training Program grant projects shall be performance-based with specific measurable performance outcomes, including completion of the training project and job retention. Workforce Florida, Inc., or the grant administrator shall withhold the final payment to the grantee until a final grant report is submitted and all performance criteria specified in the grant contract have been achieved.

WHEN MUST TRAINING START AND END

- No training to be paid with award funds may begin prior to the ABRWB awarding the funds and determining employee eligibility.
- All training to be paid with award funds must be completed by designated time frame.

FUNDING PRIORITIES

- Training that increases employee wages
- Training in targeted industries & targeted occupations
- Training that helps avoid significant layoffs

FUNDING SOURCE

Local WIA Adult and Local WIA Dislocated Worker Allocations Administered via Regional Workforce Board [Note: Other funding streams may also be used, e.g., TANF. See 134(d)(4)(A & B)]

TRAINING PROVIDERS

Must use providers on the statewide training provider list (<http://www.floridajobs.org/etpl/Default.asp>). Exceptions may be made for OJT or customized training. [see 101(31) OJT; 101(8) Customized training]

TRAINING AVAILABLE

Training related to occupations on the Targeted Occupations List (<http://www.workforceflorida.com/wages/wfi/partners/tol/05-06/TOL-WR9%202005-06.pdf>), as well as OJT and customized training. Customized training can only be provided to those individuals who meet the RWBs definition of self-sufficiency. [see 101(31) OJT; 101(8) Customized Training]

TRAINING DELIVERY

Training can be conducted at the business's own facility, at a public or private training provider's facility, or at a combination of sites that best meets the needs of the business.

WHO CAN REQUEST ASSISTANCE

Business or Individual who is currently employed

HOW IS ASSISTANCE REQUESTED

Business via direct One-Stop contact, RWB Business Outreach program, or can be referred by economic development organization, training provider, or State IWT Program) OR **Individual** who is currently employed via direct One-Stop contact.

UTILIZATION OF FUNDS

- Direct training costs
- Instructors' wages
- Curriculum development
- Resource materials

- Up to 50% of employed worker's wages if OJT
[See 101(31) and 20 CFR 663.700, 663.705, & 663.710 regarding OJT.]

REPORTING / DATA COLLECTION REQUIREMENTS

Client Application:

Completion of a full application in OSMIS through the local One-Stop system.

(Note: When serving employers, all efforts should be made by the RWB's to decrease the burden of data collection to the employer and its employees receiving services).

Reporting requirements once a grant is received:

During active training, monthly reports are submitted by the business to ABRWB.

The Trainee Information Form includes:

- Trainee name
- Date of birth
- Gender
- Race
- Social security numbers
- Job titles
- Trainee wages
- Dates of training

Employed Worker Training Payment Method

The training vendor will send invoice for services for payment to the Board's Fiscal Agent. Upon receipt of invoice, Fiscal Agent will require approximately two weeks to process payment.

EMPLOYED WORKER AWARD: FAQ

If training is not completed by the termination date of the governing contract under which it is issued, can we extend the contract to allow the award to cover allowable training costs beyond that date? No.

What costs can the award funds cover?

Reimbursable expenses for training include trainer salaries, tuition, and curriculum development, textbooks, manuals, and other related supplies.

What costs cannot be covered by the award funds?

Award funds cannot be used to cover costs incurred prior to either the awarding of funds or the verification of formal employee eligibility, whichever comes last. Funds cannot cover trainee wages or benefits, training equipment or similar capital expenses, travel, food and lodging.

Must we match award dollars?

Yes. You must pay for at least 50% of the total training cost.

What counts as matching dollars?

Allowable match includes, but is not limited to; wage & benefits earned by trainees while in training, wages & benefits paid to employees who act as trainers, in-kind space costs when training is held at your place of business, rental of space for training held outside your place of business, purchase/depreciation of capital equipment when the sole purpose for its use is in/for the approved training.

Is there a minimum or maximum cost per employee?

No.

Can we win multiple awards?

You can only win one award per Grant. However, your business can apply and receive an award from future Grants, as long as the training is for different full-time employees and/or new skills.