

FloridaWorks Standard Operating Procedure (SOP)

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SOP Number:	Subject: Incumbent Worker Training
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PURPOSE

This policy provides guidance to the Alachua/Bradford Regional Workforce Development Board d/b/a FloridaWorks' One-Stop Operator(s), Partners and Service Provider involved in the provision of training services to incumbent (employed) workers.

DEFINITION OF INCUMBENT WORKER

An individual who is employed at the time WIA eligibility is determined.

BACKGROUND

The Workforce Investment Act affords many opportunities to serve the incumbent (employed) worker. The Act provides that 15% of adult dislocated worker and year round youth allotments may be reserved to fund state operations, demonstration pilots and other state-level activities. Of this 15%, Senate Bill 1566 requires 5% of these funds be reserved at the state level for the Incumbent Worker Training Program, administered by the State Board, to provide formal grant funding for continuing education and training of incumbent workers at existing Florida businesses.

According to Section 665.220 of the WIA Interim Final Rule, an incumbent worker, for the purposes of these statewide activities, does not necessarily have to meet the eligibility requirements for employed adults and dislocated workers in order to receive intensive and training services. States may establish policies and definitions to determine which workers are eligible for incumbent worker services funded from the state level reserve.

Additionally, 25% of WIA Dislocated Worker funds are retained at the state level to finance Rapid Response activities. Section 665.320 of the WIA Interim Final Rule provides for the use of rapid response funding to include the identification of strategies for the aversion of layoffs and to assist in devising and overseeing these strategies for layoff aversion and incumbent worker training.

There are also provisions under WIA that allow local Workforce Development Boards to serve the employed worker at the local level. Separate and apart from the state level Incumbent Worker Training Program and Rapid Response activities, Florida's implementation of WIA furnishes a chance for local Workforce Development Boards to assist the employed worker in obtaining or retaining employment through the use of formula-allocated WIA Adult and Dislocated Worker funds to provide for extensive training services.

POLICY

The Alachua/Bradford Regional Workforce Development Board d/b/a FloridaWorks, consistent with the guidance provided by the Department of Labor and Employment Security, Division of Workforce and Employment Opportunities (reference: PDI-WDCP 00-006, Employed Worker Training), will offer Incumbent Worker training services in addition to the retraining, basic readjustment, and rapid response/aversion activities currently provided to eligible Dislocated Workers.

Section 662.230 WIA Interim Final Rule, requires that a determination be made that employed adults and dislocated workers need intensive and training services to obtain or retain employment that allows for economic self-sufficiency as a condition for providing those services. The local Board has established policy that provides criteria to determine "self-sufficient" income for employed adults and dislocated workers, (Policy # ABRWDB-99-02), and must be used in order to determine eligibility for incumbent worker training.

An incumbent worker may be eligible for training services if he/she:

1. chooses to voluntarily upgrade his/her skills; or
2. is identified by his/her employer to be in need of skills upgrade training to retain employment; and
3. will receive an income of **no less than 100%** of the current wage upon successful completion of training

The employed worker, whether served out of WIA Adult or Dislocated Worker funds, must meet all eligibility requirements for the particular program from which they will be served, including receiving at least one core service such as assessment, prior to delivery of intensive and training services. The employed worker must also be determined to be in need of these services in order to obtain or retain employment that allows for economic self-sufficiency. The participants' lack of economic self-sufficiency as defined by the local policy cited above is an eligibility criterion for providing intensive and training services to the employed Adult or Dislocated Worker. A determination will be made on a case by case basis as to or regarding what is needed in order to make each employed participant truly self-sufficient. The requirement to first serve recipients of public assistance and other low income individuals should funds be limited still applies when serving the employed worker out of Adult WIA Program funds.

AUTHORITY:

The State of Florida's approved five-year strategic plan: Workforce Investment Plan for Title I of the Workforce Investment Act of 1998 and the Wagner Peyser Act, Senate Bill 1566, WIA Sections 101(24 and 134(a)(3)(iv)(I), and WIA Interim Final Rule Sections 663.200, 663.220, 663.230, and 665.320.