

WIOA Transitional Job Policy

Policy Memorandum 20-02

Date: October 16, 2020

To: All Workforce Innovation Opportunity Act (WIOA) Service Providers

Purpose: To provide guidance to contractors (service providers) for transitional jobs, as a type of work experience opportunity, offered as an individualized career service for WIOA eligible clients.

Rescissions: N/A

References: WIOA Sections 3, 134 (c)(3)(D); 20 CFR 680.200; 20 CFR 680.190-195; 20 CFR 680.840; 20 CFR 680.900; 20 CFR 683.270; Employment and Training Guidance Letter WIOA, No.19-16, March 1, 2017; Employment Development Department, Workforce Services Directive 19-06, December 27, 2019, CalJOBS Activity Codes

Background:

The Santa Cruz County Workforce Development Board (WDB) will make available work experience opportunities through a transitional jobs program for those Workforce Innovation and Opportunity Act (WIOA) eligible Adult and Dislocated Worker participants with barriers to employment who are chronically unemployed or have inconsistent work history. Providing this type of opportunity aligns with the WIOA mission/vision of strengthening our nation's public workforce system, helping Americans with barriers to employment access the education, training and support services needed to obtain and advance in quality jobs and careers.

At the discretion of the local Workforce Development Board, this Transitional Job Policy is subject to change.

Policy:

A. General Provisions

A transitional job, combined with job readiness skills training, is designed to assist participants with establishing a work history, demonstrate success in the workplace, and develop the skills that lead to entry into and retention in unsubsidized employment. Transitional jobs provide participants with work experience and an opportunity to develop important workplace skills within the context of an employee-employer relationship.

B. Local Policy Guidelines and Requirements

1. Eligibility

Contractor service provider shall first determine WIOA eligibility by applying the WIOA regulations, federal guidance, state directives and local policy, when applicable.

To be eligible for a transitional job, the participant is experiencing one of the following:

- a. Barriers to employment, defined as being a member of one (1) or more of the following populations¹:
 1. Displaced homemakers,
 2. Low-income individuals,
 3. Indians, Alaska Natives, and Native Hawaiians as defined in Section 166,
 4. Individuals with disabilities,
 5. Older individuals,
 6. Ex-offenders,
 7. Homeless individuals,
 8. Youth who are in or have aged out of the foster care system,
 9. Individuals who are English language learners, individuals who have low levels of literacy, and individuals who are facing substantial cultural barriers,
 10. Eligible migrant and seasonal farmworkers, as defined in Section 167(i),
 11. Individuals within two (2) years of exhausting lifetime TANF eligibility,
 12. Single parents,
 13. Long-term unemployed; **and who are**
- b. Chronically unemployed, defined as long-lasting or habitual and problematic **or**
- c. Inconsistent work history, despite being able and willing to work, defined as never held a job or gaps in work history that cannot be explained by recent economic conditions.

Eligibility for WIOA is documented via CalJOBS data entry and case file records. Eligibility for transitional job program must be documented in the case file records and may be accomplished via an assessment and self-attestation.

2. Individualized Career Services

As part of the WIOA menu of services offered as an individualized career service, a WIOA eligible participant may be eligible for a type of work experience as a WIOA funded subsidized job placement. Transitional jobs must be combined with comprehensive career services and supportive services.

The **assessment** of the individual will determine the need, length of the transitional job and the skills needed for entry into and retention in unsubsidized employment. An **Individual Employment Plan (IEP)** shall be developed with the transitional job identified as part of the overall employment goals for the individual.

Job readiness skills training shall be offered in conjunction with the transitional job placement to address existing challenges and develop successful outcomes. Job readiness skills training provides the tools necessary to be successful in the workplace and will include competencies needed to perform specific tasks on the job. Job readiness skills training shall be provided via the WDB approved platform or contract service provider method approved by the WDB Director. Job readiness skills training shall include, but is not limited to, the following components:

- ✓ Personal maintenance
- ✓ Punctuality
- ✓ Attendance
- ✓ Dependability

¹ WIOA Section 3 (24)

As the transitional job placement is nearing completion, **Job Search** assistance shall be provided to assist the individual with obtaining unsubsidized employment. Job Search assistance shall be provided via the WDB approved platform or contract service provider methodology approved by the WDB Director.

Job search assistance shall include the following components:

- ✓ resume writing,
- ✓ interviewing skills
- ✓ networking, and
- ✓ customized job search strategy, including specific labor market information

Other individualized career services that may be offered and provided to the individual include the following:

- ✓ Financial Literacy Services
- ✓ Career Planning
- ✓ English language acquisition and integrated education and training programs

Appropriate corresponding CalJOBS activity codes and case note entries shall be created by the contracted service provider as indicated in section 6 below.

3. Benchmarks/Progress Reports

Contracted service provider shall document the Job Readiness Skills training benchmarks completed over the course of the transitional job placement when the individual is 50% completed and again at the conclusion of the placement.

The employer will also provide an evaluation to document the overall individual employment performance during the course of the placement.

Contracted service provider will use the WDB approved Progress Report form or submit a version for WDB approval.

As a real-time WIOA performance measure, contracted service provider shall track the individuals' performance using the Measurable Skills Gains – Skills Progression fields in CalJOBS.

4. Compensation

A transitional job must be a paid work experience. Wages for participants in transitional job placements shall, at a minimum, meet the applicable State and Federal minimum wage requirements in place at the time of the transition job placement. The participant may be paid the wage applicable to the assigned position with a corresponding job description within the business.

Contracted service provider shall be reimbursed at 100% of the wage. Participants shall only be paid for the hours worked during the transitional job period and documented on the participants timecard.

The overall compensation shall be capped at the amount in the local Individual Training Account (ITA) policy, for in-demand employment opportunities, in place at the time the transitional job starts.

5. Length of placement/training time limits

Placements will be limited in duration as appropriate to the needs of the individual. The length of training time shall not be less than 240 hours and shall not exceed six (6) months or 1040 hours, transitional jobs shall be for a minimum of twenty (20) hours per week.

6. CalJobs Data Entry

Transitional Job activities shall be tracked via the CalJOBS, the state case management system, including but not limited to the following:

a. Activity Codes

- Initial Assessment: Activity Code: 102
- Objective Assessment: Activity Code: 203
- **Development of Individual Employment Plan (IEP); Activity Code: 205**
- Short-Term Prevocational Services: Activity Code: 215
- **Job Readiness Skills: Activity Code: 322**
- **Transitional Job: Activity Code: 321**
- Job Search: Activity Code: 125
- **Supportive Services:** Activity Codes 180-192: as appropriate based on service provided

Bolded activities **must** be combined when participating in a transitional job.

b. Case Note Entry

WIOA contracted service provider staff shall create a CalJOBS case note entry to document the rationale for the transitional job placement and supportive service provided and to detail each activity. For example:

Subject: Transitional Job Factors

Case note should address the following: individual barrier; chronically unemployed or inconsistent work history rationale/justification.

Subject: Supportive Services (TJ)

Case note should document the need for supportive services, following the local supportive service policy parameters.

Contractor shall create a CalJOBS case note entry to justify any policy exceptions authorizations.

7. Work Site Exclusions

WIOA funds may not be used for a work experience that promotes or supports the use, possession or distribution of cannabis (marijuana).

C. Contracted Service Provider Responsibilities/Employer of Record

WIOA contracted service provider shall comply with this local transitional job policy and shall be monitored for compliance with provisions. WIOA contracted service provider shall ensure that records and documentation required for policy compliance are kept in the case file and made available by local, state and federal monitors. Failure to comply with the requirements may result in the service provider being placed on a corrective action and/or incur disallowed costs.

WIOA Adult and Dislocated Worker contracted service provider shall be the *Employer of Record* for transitional jobs participants. As the *Employer of Record*, the contractor shall utilize the following document/forms for this program:

1. Worksite Agreement

This documents the employer/business name, placement job title, duration of job placement, rate of pay and WIOA required elements for participation (ie. WIOA Section 188). The agreement must be signed by all parties prior to the start of the transitional job activity. This document shall be provided to the WDB contract analyst upon being executed between the employer and the contracted service provider.

2. Timecard

This provides documentation signed by both employer and WIOA participant attesting to the hours worked in a pay period (either weekly or bi-weekly).

3. Transitional Job Progress Report

This provides a status, by the employer, on the participants job readiness skills during the transitional job placement.

WIOA contracted service provider shall submit an invoice cover page, timecards and progress reports to the WDB Contract analyst on a monthly basis for contracted service provider reimbursement from the County WDB funds.

Contracted service provider shall be responsible for creating the corresponding data entry codes in CalJOBS.

In the event, the service provider desires to create forms to enhance the flow of the transitional job program, WDB Director or designee must first approve the forms. Approved forms shall be made accessible via *Dropbox*. Upon approval, the service provider shall train their staff on any new forms and/or procedures.

D. Employer Requirements

Employers willing to work with participants in transitional job activities may be from the public, private or non-profit sectors. Employer must be able to provide supervision, complete the timecards, employment evaluation and/or progress reports as required (or at designated intervals: ½ way through and conclusion).

This work experience opportunity may not be used to directly or indirectly aid in filling a job opening which is vacant because the former occupant is on strike, or is being locked out in the course of a labor dispute, or the filling of which is otherwise an issue in a labor dispute involving work stoppage.

There is no expectation that the employer will retain the participant at the completion of the transitional job. However, if the employer is interested in hiring the participant after the transitional job activity has been completed, and additional training is needed, an On-the-Job-Training (OJT) may be developed that follows the requirements of the local OJT Policy.

E. Supportive Services

Transitional jobs must be combined with supportive services. WIOA case manager will arrange for the WIOA eligible participant to receive supportive services concurrently.

WIOA Service Providers will arrange for supportive services during the job placement period to eliminate barriers and improve retention according to the WDB's *Supportive Service Policy*. This may include work clothing, tools, childcare, finger printing, and transportation assistance. The need for supportive services will be documented in the Employment Plan or Career Advancement Plan, as well as CalJOBS case notes. The need will be revised as appropriate.

Supportive services are paid based on an approved invoice and backed up by receipts and/or provider signatures. Supportive Services claims will be submitted on a monthly basis but no later than 30 days after the conclusion of the training activity.

CalJOBS data entry: Activity Code corresponds to the Supportive Service category. Using the Commit and Pay (CnP) system, WIOA Service Providers will track Supportive Service amounts authorized and stay within budget allocation and the WDB *Supportive Service Policy*.

F. Availability of Funding/Funding Limitations

Santa Cruz County Workforce Development Board (WDB) may use up to 10% of the combined adult and dislocated worker local allocations for transitional jobs. County Fiscal Staff will track the annual funding allocated to the transitional jobs program. Transitional Job funds distribution is ultimately contingent upon the availability of funds.

G. Exception to policy

Under special circumstances, on a case-by-case basis and with proper justification, WIOA Service Providers could request a waiver of a policy provision **regarding duration of the placement and or exceeding the ITA amounts (as per local ITA policy)** from the WDB Sr. Analyst and with approval from the Workforce Development Board Director.

WIOA Service Providers should submit an ITA Policy Exception Memo (Attachment III) with the explanation and justification for the exception.

Action: All WIOA Service Providers shall comply with the attached Transitional Job policy. This policy memorandum is on-going and effective immediately.

Inquiries: Any questions regarding this policy memorandum may be directed to the WDB Director.

Documents/forms referenced:

- I. Transitional Job Worksite Agreement
- II. Transitional Job Progress Report
- III. ITA Policy Exception Memo

This policy authorized by: Santa Cruz County Workforce Development Board, December 9, 2020