

WIOA Titles I-A and I-B Policy & Procedure Manual

Chapter 8.5: Training Services

Draft Policy Comments and Responses

After publishing a draft of WIOA Policy Titles I-A and I-B Policy & Procedure Manual, Chapter 8.5: Training Services for partner review, DWD-DET received thoughtful feedback in the form of comments and questions. Much of this input was used to strengthen the policy, and clarifications were made throughout. Feedback that was not incorporated through changes made to the policy prior to publishing is addressed below.

8.5.4 Training Type 2: On-the-Job Training (OJT)

Comment: There was a request for a list of terms and conditions that must be included in an OJT contract.

Response: DWD-DET is not providing a list of required terms and conditions that must be included in an OJT contract at this time but may do so in the future. Local WDBs are encouraged to contact their designated Financial Manager with questions about required terms and conditions in OJT contracts.

Comment: There were questions about whether employers of OJT services are considered contractors, sub-recipients and whether the OJT contract is "actually a contract or agreement or other type of arrangement between two parties."

Response: At this time, DWD-DET is declining to answer these questions in state policy. Local WDBs should reach out to their designated Financial Manager with further questions.

8.5.5 Training Type 3: Incumbent Worker Training

Comment: There was a question about the requirement that local Workforce Development Boards (WDBs) define in local policy which workers, or groups of workers, are eligible for Incumbent Worker Training activities. The commenter noted that [20 CFR § 680.780](#) defines who is eligible for IWT activities.

Response: The requirement that a local WDB IWT policy define which workers, or groups of workers, are eligible for IWT activities is sourced from [20 CFR § 680.780](#). A local WDB does not need to add additional parameters under which a worker, or group of workers, would be eligible for IWT activities. However, the local policy must clearly define which workers, or groups of workers, are eligible for IWT activities.

Comment: There were questions about the requirement to document the worker's work history with the employer.

Response: The policy's language was adjusted to provide a clearer expectation of the requirement to document a worker's work history with the employer. A reference to [Chapter 11.22: Incumbent Worker Training Performance Reporting Policy](#) was added to this section as a reminder of existing data reporting requirements.

Comment: There was a question about whether employment authorization must be verified prior to a worker receiving IWT services, given that the worker is already employed.

Response: Appendix [A.15: Work Authorization Verification Requirements](#) provides details about when a participant's employment authorization must be verified.

Comment: There was a request to confirm that an IWT contract would be a cost reimbursement arrangement was requested.

Response: IWT contracts are cost reimbursement arrangements. Questions about fiscal management of an IWT contract should be sent to the designated Financial Manager.

Comment: There was a request for examples of how to include connections to career pathways and sector strategies in policy and practice for IWT activities.

Response: The Business Engagement – Incumbent Worker Training webinar series provided by WorkforceGPS is a valuable resource. These three webinars are available at <https://ion.workforcegps.org/resources/2019/05/08/15/08/Incumbent-Worker-Training-IWT>. DWD-DET's WIOA Local Program Liaisons remain available to local WDBs as a resource during the development and modification of local policies.

Comment: There was a request for additional clarification regarding which funding source (WIOA Adult Program or WIOA Dislocated Worker Program) should be used for individuals receiving IWT services without being enrolled in either program.

Response: Whether local IWT activities are funded by WIOA Adult or WIOA Dislocated Worker Program funds is dictated by local policy and fund availability.

Comment: There was a request to provide additional details on how to add an individual receiving IWT services into ASSET.

Response: ASSET allows records to be created for individuals who were not previous reportable individuals or participants and who are not enrolled in the WIOA Adult or WIOA Dislocated Worker Program. In Manage Customers, on the Contact Details tab, there is a checkbox for "Incumbent Worker Only." Selecting the Incumbent Worker Only box makes only the fields required by federal/state policy required to save the record and create an ASSET PIN.

Comment: There was a request to clarify if the six-month work history requirement means that a worker must have six consecutive months of employment with the employer.

Response: In the absence of federal guidance on this issue, DWD-DET does not require that the six-month work history requirement be only met by a work history of six consecutive months. Local WDBs are still required to document the required work history.

Comment: There was a request for additional information about the benefits of IWT.

Response: DWD-DET again refers to the Business Engagement – Incumbent Worker Training webinar series provided by WorkforceGPS as a valuable resource. These three webinars are available at <https://ion.workforcegps.org/resources/2019/05/08/15/08/Incumbent-Worker-Training-IWT>.

Comment: There were requests that "DWD-DET consider providing examples as to what would constitute a successful incumbent worker training arrangement and what could lead to an ineligible contract, employer and/or questioned costs."

Response: DWD-DET appreciates the nature of these requests and has been researching examples of IWT nationally and throughout the state, in hopes of providing further guidance in the future.

Comment: There was a request for a list of terms and conditions that must be included in an IWT contract.

Response: DWD-DET is not providing a list of required terms and conditions that must be included in an IWT contract at this time but may do so in the future. Local WDBs are encouraged to contact their designated Financial Manager with questions about required terms and conditions in IWT contracts.

8.5.6 Training Type 4: Programs that Combine Workplace Training and Related Instruction

Comment: There were questions about whether this training type would be funded by an ITA or through a contract.

Response: [Chapter 8.5.11: Methods for Funding Training Services](#) provides details on how training services can be funded.

Comment: There were questions about whether participants who were receiving other career services or youth program elements could receive this training type.

Response: DWD-DET understands that this training type is underutilized and hopes to provide examples of how this service looks when locally implemented in the future. In the meantime, when a scenario with a participant arises and guidance is needed, local WDBs are encouraged to contact their WIOA Local Program Liaison.

8.5.7 Training Type 5: Entrepreneurial Training

Comment: There were questions about whether this training type would be funded by an ITA or through a contract.

Response: [Chapter 8.5.11: Methods for Funding Training Services](#) provides details on how training services can be funded.

Comment: There was a question about ASSET and whether Entrepreneurial Training as a service allows for an ITA.

Response: Career Planners can connect an ITA to Entrepreneurial Training service for participants of the WIOA Adult Program and WIOA Dislocated Worker Program.

8.5.8 Training Type 6: Job Readiness Training Combined with Training Services or Transitional Jobs

Comment: There were questions about whether this training type would be funded by an ITA or through a contract.

Response: [Chapter 8.5.11: Methods for Funding Training Services](#) provides details on how training services can be funded.

8.5.9 Training Type 7: Adult Education and Literacy Activities Provided in Conjunction with Training Services

Comment: There were questions about whether this training type would be funded by an ITA or through a contract.

Response: [Chapter 8.5.11: Methods for Funding Training Services](#) provides details on how training services can be funded. Local WDBs are encouraged to contact their WIOA Local Program Liaison for guidance and assistance while planning to provide this training type.

8.5.10 Training Type 8: Customized Training

Comment: There was a question about whether an employed participant who is receiving customized training services would also be counted as an incumbent worker.

Response: An employed individual receiving WIOA-funded training services would only be receiving customized training or incumbent worker training at one time.