

## **CUSTOMIZED TRAINING POLICY AND PROCEDURES**

### **INTRODUCTION**

Customized Training (CT) is designed to meet the unique training needs of a business or a group of businesses. CT can be used for training prospective new or existing workers (referred to as Incumbent Worker Training or IWT). Upon entering in a CT agreement, the business commits to hire or—in the case of incumbent workers—retain individuals who successfully complete the training. CT targets workers who are in need of training and prepares them for San Diego County’s in-demand occupations. CT is business-driven where the employer, not the worker, selects the training provider. Workers benefit by learning new skills and obtaining or retaining employment after successful training completion.

This CT Policy and Procedures provides a framework for the San Diego Workforce Partnership (SDWP) and America’s Job Center of California<sup>SM</sup> (AJCC) network to serve employers with CT in the San Diego region.

### **DEFINITION OF SERVICES**

CT is defined as training:

- Designed to meet the special requirements of an employer (including a group of employers) for new hires or—in the case of incumbent workers—to retain a skilled workforce or avert the need to lay off employees by assisting the workers in obtaining the skills necessary to retain employment;
- Conducted with a commitment by the employer to employ or—in the case of incumbent workers—to retain or avert the layoffs of the individuals that successfully complete the CT;<sup>1</sup> and
- For which the employer pays a significant cost of the training.<sup>2</sup>

“Significant cost” is defined by the following sliding scale:<sup>3</sup>

- For employers with 50 or fewer employees, a minimum of a 25% match
- For employers with 51 or more employees, a minimum of a 50% match

For incumbent workers, the significant cost provided by the employer may be the in-kind match for the cost of the training and/or the amount of wages paid by the employer to the worker while the worker is attending the IWT program.<sup>4</sup> SDWP may reserve and use no more than 20 percent of a combined total of adult and dislocated worker funds<sup>5</sup> and 20 percent of Rapid Response funds.<sup>6</sup> Rapid Response funds used for IWT must be tracked using Grant Code 274.<sup>7</sup>

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<sup>1</sup> Workforce Innovation and Opportunity Act (WIOA), sec. 134(d)(4)(B)

<sup>2</sup> WIOA, sec. 3(14) subparagraphs (A), (B) and (C)

<sup>3</sup> The sliding scale is the local board definition for “significant cost” as approved by the San Diego Consortium Policy Board on September 25, 2015. Agenda Item #6.

<sup>4</sup> WIOA, sec. 134 (d)(4)(D)(iii)

<sup>5</sup> WIOA, Sec. 134 (d)(4)(A)(i)

<sup>6</sup> § 682.210(b) and § 682.320(b)(3)

<sup>7</sup> WIOA NPRM 680.800: Local areas may use their RR funds for statewide incumbent worker training activities.

The training may be conducted by the employer or the employer may select a third-party training provider. CT methods include, but are not limited to:

- Classroom training through a traditional classroom setting with a group of trainees and a qualified instructor;
- Laboratory training with hands-on instruction or skill acquisition under direct guidance of a qualified trainer;
- Electronic- or computer-based training delivered through a computer program at a pace set by the trainee or through video conferences that are live, interactive instruction with a trainer;
- Simulated or actual jobsite instruction (e.g., job shadowing);
- Standard “off-the-shelf” training that meets the training needs of the employer; or
- Other training that is customized to the employers’ specific training needs.

### **ELIGIBILITY REQUIREMENTS**

CT for *prospective new workers* is available to WIOA eligible Adult and Dislocated Worker customers. With respect to training services funded by WIOA adult funds, priority of service must be provided to Customers of public assistance, other low-income individuals or other individuals who are basic skills deficient. Priority of service status is established at the time of eligibility determination and does not change during the period of participation.<sup>8</sup> Priority does not apply to the dislocated worker population. Customers must meet the financial need requirement of being unable to obtain grant assistance from other sources to pay partial or full costs of such training. For more information on eligibility, refer to SDWP’s Operations Manual, Chapter VII.

IWT is available to *existing workers* if an employer’s employees or positions are at risk of being laid off if they do not receive training or upskilling. An incumbent worker does not have to meet the eligibility requirements for career and training services for Adult and Dislocated Worker customers.<sup>9</sup> To qualify as an incumbent worker, the incumbent worker needs to be at-risk of being laid off, meet the Fair Labor Standards Act requirements of an employer-employee relationship, and have an established employment history with the employer for 6 months or more. The employer must provide written documentation or statement of need in the CT Application ([Exhibit B-2](#)) that the positions to be trained for are at risk of being laid off if additional training is not received.<sup>10</sup> The training must increase the competitiveness of the employee and/or employer.

SDWP shall only contract with employers that plan to enroll at least 6 Customers into CT.

### **PROCEDURES**

SDWP’s Business Services Department shall provide the AJCC network’s business services teams with technical assistance in the CT process. The following guidelines outline how CT is implemented:

#### **1. Business Outreach**

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<sup>8</sup> WIOA sec. 134(c)(3)(E)

<sup>9</sup> WIOA sec. 134(d)(4) and § 680.790

<sup>10</sup> § 680.780

SDWP's Business Services Department shall take the lead in identifying CT opportunities and marketing CT to the business community. The AJCC business services teams shall use current business contacts and outreach to new businesses in support of this effort.

2. Request for CT (or Incumbent Worker Training) Application

All employers interested in CT for prospective new hires or incumbent workers must complete and submit the CT Preliminary Questionnaire ([Exhibit B-1](#)) to SDWP before beginning the CT Application ([Exhibit B-2](#)). The CT Preliminary Questionnaire helps SDWP determine the suitability of the employer to participate in CT. The CT Application describes SDWP's priorities and goals for training. SDWP shall enter into a CT agreement with businesses that propose to upgrade employee skills, increase employee wages, provide training in portable skills, and/or increase retention efforts. Preference shall be given to employers who request training that offers potential upward career mobility, career stability, increased wages and other value-added benefits. Training must be provided for in-demand occupations. An in-demand occupation is defined as an occupation that is projected to grow at a greater rate than other occupations in San Diego County. The AJCC network's business services teams shall assist businesses in their regions that are interested in CT or IWT with completing and submitting the CT Application, and determining the WIOA eligibility of the CT participants.

3. Training Approval and Contract Development

Upon receipt of the CT Application, SDWP's Business Services Department shall review the submitted CT Application to ensure that it is complete and complies with the terms and conditions of the CT Application and all applicable legal and regulatory requirements. The approval process is outlined below.

- A. SDWP's Business Services Department shall review and evaluate the CT Application to ensure that the CT Application's criteria are met.
- B. SDWP's Business Services Department shall notify the employer if the CT Application shall be recommended for approval or if the employer needs to revise the CT Application no later than ten business days from receipt of the CT Application.
- C. If recommended, SDWP's Business Services Department shall present the CT Application to the Adult Programs Committee, Workforce Development Board and San Diego Consortium Policy Board (Policy Board) if the proposed reimbursement amount on the CT agreement requires board approval. SDWP's President and CEO shall have the final approval for contracts that do not require board approval.
- D. Upon approval, the CT Application shall become part of a CT agreement.
- E. SDWP's Business Services Department shall request an agreement number from the SDWP's Finance Department to include on the CT agreement.
- F. SDWP's Business Services Department shall route and track the CT agreement through the signature process and execution. All CT agreements shall be monitored by SDWP's Business Services Department or a designated third-party monitor.

4. AJCC Recruitment and Eligibility Responsibilities

The AJCC network's business services teams shall assist employers in their regions that are interested in CT by coordinating Customer recruitments and eligibility determination. All Customers identified for CT must meet WIOA eligibility requirements.

- A. As necessary, to meet the needs of the employer, the AJCC business services team shall conduct recruitments for the CT opportunity. If the AJCC business services team cannot find an adequate pool of Customers within their AJCC region, the AJCC business services team shall notify the rest of the AJCC network of the CT opportunity. The announcement shall include qualifications, job description, training information, deadlines for the CT recruitment, and a summary of the recruitment procedure.
- B. The AJCC business services team shall screen prospective CT candidates or Customers to ensure WIOA eligibility and enrollment in AJCC services.
- C. The employer shall make the final selection of CT candidates and confirm that list of candidates with the AJCC business services team.

5. Case Management for CT Customers

Case management activities for Customers in CT shall not differ from the duties that AJCC Case Managers currently perform for WIOA Customers in training. AJCC Case Managers shall use the statewide CalJOBS<sup>SM</sup> system. The following duties shall apply:

- A. AJCC Case Manager shall ensure completion of required WIOA activities for enrollment into training including Individual Employment Plan (IEP) development.
- B. AJCC Case Manager shall confirm that the Customer started training and document confirmation with an activity code.
- C. AJCC Case Manager shall enter CT code 304 under the appropriate customer group (Adult or Dislocated Worker).
- D. After CT code 304 has been saved, AJCC Case Manager shall enter a case note including the training provider, employer and occupational title.
- E. AJCC Case Manager shall monitor the Customer's training activities.
- F. After the training ends, Customers who successfully complete the CT shall get a job offer from the employer or group of employers, and if the job offer was accepted, AJCC Case Manager shall complete employment verification paperwork and enter the placement information into the customer tracking system. If Customers who successfully complete the CT do not get a job offer from the employer or group of employers, SDWP reserves the right to not enter into a CT agreement with the employer in the future.
- G. AJCC Case Manager shall continue to provide required WIOA Exit and Follow-Up activities/services.

**INVOICING**

SDWP shall reimburse the business for training costs for clients who successfully complete the CT or Incumbent Worker Training program. Businesses must provide a significant match for the expenses of the training based on the sliding scale. Business must keep accurate records of the training implementation process, trainees' attendance, and trainees' performance in the training program. To issue payment, the business must submit an invoice to SDWP's Business Services Department. The final invoice must have the following attachments 1) a roster listing the trainees who successfully completed training that is signed by the training provider; and 2) a list of trainees who have been hired or retained by the business to include start date, wage and title of trainee, signed by the business's designated representative. SDWP reserves the right to modify the CT

agreement and not pay the final invoice if the CT completers are not employed by the end of the CT agreement date.

**EXHIBITS**

[Exhibit B-1 – CT Preliminary Questionnaire](#)

[Exhibit B-2 – CT Application](#)