

# New Jersey

## Workforce Innovation Notice 13-15

**TO:** Workforce Development Board Directors  
One-Stop Operators  
Employment Service Managers

**FROM:** John Bicica, Chief,  
Office of WIOA Technical Assistance and Capacity Building

**SUBJECT:** Training Contracts and Work-Based Training under WIOA

**DATE:** January 25, 2016

### **Purpose**

To provide local areas with guidance regarding the use of training contracts and work-based training options for adults and dislocated workers under Workforce Innovation and Opportunity Act (WIOA). Please note that this guidance is subject to revision as the United State Department of Labor issues the WIOA Final Rules and provides additional guidance.

### **Background**

WIOA provides greater flexibility than the Workforce Investment Act (WIA) regarding the types of work-based training that is allowable and also the use of contracts to provide training services for adults and dislocated workers. WIA allowed the use of contracts, as opposed to individual training accounts (ITAs) only in limited circumstances for adults and dislocated workers; WIOA provides more options for using training contracts, including the use of both ITAs and contracts for an individual in certain circumstances, such as when the participant is in a registered apprenticeship (RA). Training and Employment Guidance Letter (TEGL) 3-15 provides guidance on the use of training contracts for work-based training, including a new type allowable under WIOA, **transitional jobs**. The pertinent sections of the TEGL are provided below.

**Training Contracts.** ITAs are the primary method to be used for procuring training services under WIOA, similar to under WIA. However, in certain circumstances a contract for training services may be developed instead of an ITA. Under section 134(c)(3)(G)(ii) of WIOA, the contract exceptions to an ITA have been expanded; the full list of exceptions is provided below:

- On-the-job training, which may include placing participants in a RA program, customized training, incumbent worker training, or transitional jobs;
- If the local board determines that there are an insufficient number of eligible providers of training services to use ITAs;
- If there is a training services program of demonstrated effectiveness offered in a local area by a community-based organization or other private organization;

- If the local board determines that the most appropriate training could be provided by an institution of higher education to train multiple individuals for jobs in in-demand sectors or occupations; and
- If the local board determines, a pay-for-performance contract is the most effective means of providing training services (note that no more than 10 percent of the local funds may be spent on pay-for-performance contract strategies as they are defined in section 3(47) of WIOA).

***Pay for Performance Contract Strategy***—The term “pay-for-performance contract strategy” means a procurement strategy that uses pay-for-performance contracts in the provision of training services described in section 134(c)(3) or activities described in section 129(c)(2), and includes— (A) contracts, each of which shall specify a fixed amount that will be paid to an eligible service provider (which may include a local or national community-based organization or intermediary, community college, or other training provider, that is eligible under section 122 or 123, as appropriate) based on the achievement of specified levels of performance on the primary indicators of performance described in section 116(b)(2)(A) for target populations as identified by the local board (including individuals with barriers to employment), within a defined timetable, and which may provide for bonus payments to such service provider to expand capacity to provide effective training; (B) a strategy for independently validating the achievement of the performance described in subparagraph (A); and (C) a description of how the State or local area will reallocate funds not paid to a provider because the achievement of the performance described in subparagraph (A) did not occur, for further activities related to such a procurement strategy, subject to section 189(g)(4).

Additionally, a local board may determine that providing training through a combination of ITAs and contracts is the most effective approach. This approach could be used to support placing participants in programs such as RA and other similar types of training.

**Work-based Training.** Under WIOA there are additional work-based training options (see **Attachment A** for the work-based training provisions of the Notice of Proposed Rulemaking at 20 CFR 680.700 et al) and flexibilities for adults and dislocated workers:

### **Registered Apprenticeship**

RA is an important component of potential training and employment services that the workforce system can provide to its customers. We encourage local areas to use RA and it should be used more often as a career pathway for job seekers and as a job-driven strategy for employers and industries. RA can be funded through several mechanisms. Section 122(a)(3) of WIOA provides a new opportunity for RA programs to be more directly connected to the public workforce system. As RA programs, they automatically qualify to be placed on the State and local board’s Eligible Training Provider List (ETPL), allowing ITAs to support participants in RA programs, and more directly connect those programs to one-stop centers

Every state has either a federal Department of Labor Office of Apprenticeship (OA) or a State Apprenticeship Agency (SAA). Local boards and one-stop centers should work with the offices in their state to implement RA (Federal OA and SAA state contact information is available at <http://www.doleta.gov/oa/contactlist.cfm>).

RA Program sponsors can be Eligible Training Providers (ETPs). Some examples of typical RA Program sponsors are:

**Employers who provide related instruction:** A number of employers with RA programs provide formal in-house instruction as well as on-the-job training (OJT) at the work site.

**Employers who use an outside educational provider:** Under this model RA program sponsors do not provide the related instruction or educational portion of the apprenticeship, but rely upon an outside educational entity to deliver instruction. Employers can use two- or four-year post-secondary institutions, technical training schools or on-line courses for related instruction. The employer is the ETP and must identify their instructional provider.

**Joint Apprenticeship Training Programs:** These programs are made up of employers and unions. They have an apprenticeship training school where the instructional portion of the apprenticeship program is delivered. The training schools are usually administered by the union, in which case the union would be the ETP (eligible training provider).

**Intermediaries:** Intermediaries can serve as program sponsors when they take responsibility for the administration of the apprenticeship program. They also can provide expertise such as curriculum development, classroom instruction and supportive services, as appropriate. The intermediary is the ETP and must identify the instructional provider if an outside organization is providing the educational portion of the apprenticeship. Intermediaries include: o Educational institutions including two- and four-year post-secondary institutions or technical schools. In this model the educational institution administers the program, works with employers to hire apprentices and provides classroom or on-line instruction for the apprenticeship program;

Industry associations that administer the program and work with employer/members and educational entities to implement the apprenticeship program; and

Community-based organizations that administer the program and work with employers, educational entities and the community to implement the apprenticeship program.

ETA is committed to fully integrating RA programs as an employment and training solution for one-stop centers. ETA wants to ensure local areas have maximum flexibility in serving participants and supporting their placement into RA programs. Given the unique nature of RA, there are several ways in which training services may be used in conjunction with these programs:

- An ITA may be developed for a participant to receive RA training;
- An OJT contract may be developed with a RA program for training participants. OJT contracts are made with the employer, and RA generally involves both classroom and on-the-job instruction. The OJT contract may be made to support some or all of the OJT portion of the RA program;
- A combination of an ITA to cover the classroom instruction along with an OJT contract to cover on-the-job portions of the RA is allowed; and
- Incumbent worker training may be used for upskilling apprentices who already have an established working/training relationship with the RA program.

Local areas may also include supportive services, in coordination with career and/or training services, (See *Attachment B* for listing of career and training services available under WIOA) to participants in a RA program. These supportive services must be consistent with WIOA section 134(d)(2) and state and local policies.

### ***Reporting on Registered Apprenticeship Participation***

As States and local areas increasingly use RA programs as part of their sector strategies and career pathways approaches, ETA would like to remind States and local areas about how to report on participants who are placed into RA. Under WIA, data is reported by States using the Workforce Investment Act Standardized Record Data (WIASRD) layout, and the WIASRD layout will continue to be used until a new reporting layout is developed. TEGL 4-13, *Workforce Investment Act (WIA) Performance Reporting System*, dated August 28, 2013, revised reporting requirements in the WIASRD so that the type of training provided to WIA participants now includes a specific coding value for Registered Apprenticeship (i.e. coding value 09 on WIASRD element number 1209). Data reported thus far indicate only some states reporting this type of training on quarterly WIASRD submissions. States are reminded to report this information using the WIASRD.

### **On-the-Job Training**

OJT continues to be a key method of delivering training services to adults and dislocated workers. WIOA provides for States and local Areas to provide up to 50 percent of the wage rate of the participant to employers for the costs of training while the participant is in the program. Additionally, State and local areas have the flexibility under WIOA to increase the reimbursement level to up to 75 percent taking into account the following factors:

- The characteristics of the participants (e.g. length of unemployment, current skill level, and barriers to employment);
- The size of the employer (e.g. small and medium-sized business often have more barriers to participation at lower reimbursement rates);
- The quality of employer-provided training and advancement opportunities; and
- Other factors the State or local boards may determine appropriate (e.g. the number of employees participating in the training, wage and benefit levels of the employees (both pre and post participation earnings)), and relation of the training to the competitiveness of the participant).

One-stop operators **must** coordinate training funds available and make funding arrangements with one-stop partners and other entities. One-stop operators **must** consider the availability of other sources of grants to pay for training costs such as Temporary Assistance for Needy Families (TANF), State-funded training funds, and Federal Pell Grants, so that WIOA funds supplement other sources (**20 CFR 680.230**)

### **Incumbent Worker Training**

Incumbent Worker training provides both workers and employers with the opportunity to build and maintain a quality workforce. Incumbent Worker training can be used to help avert potential layoffs of employees, or to increase the skill levels of employees so they can be promoted within the company and create backfill opportunities for the employers. Under section 134(d)(4) of WIOA, local boards can use up to 20 percent of their adult and dislocated worker funds to provide for the federal share of the cost of providing Incumbent Worker training. Incumbent Worker training needs to take into account the following factors:

- The characteristics of the participants in the program;
- The relationship of the training to the competitiveness of a participant and the employer; and
- Other factors the State or local boards may determine appropriate (e.g., the number of employees participating in the training, wage and benefit levels of those employees (both pre- and post-participation earnings)), and the existence of other training and advancement opportunities provided by the employer).

States may make recommendations to the local boards for providing incumbent worker training that has a statewide impact. Employers are required to pay for a significant cost of the training for those participants in incumbent worker training; this can be done through both cash and/or in-kind payments. The wages paid to participants, while in training, may be considered as a source of matching funds. Rules for matching funds are provided in the Uniform Guidance and DOL exceptions at 2 CFR 200.306 (See *New Jersey Workforce Innovation Notice 13-15*) and 2 CFR 2900.8, respectively. 2 CFR 2900.8 states “In addition to the guidance set forth in 2 CFR 200.306(b), for Federal awards from the Department of Labor, the non-Federal entity accounts for funds used for cost sharing or match within their accounting systems as the funds are expended.”

Under section 134(d)(4)(D) of WIOA, the minimum amount of employer share in the Incumbent Worker Training depends on the size of the employer:

- At least 10 percent of the cost, for employers with 50 or fewer employees;
- At least 25 percent of the cost, for employers with 51 to 100 employees; and
- At least 50 percent of the cost, for employers with more than 100 employees.

Employer share must be reported on the ETA-9130 quarterly financial report. ETA encourages States and local areas that utilize incumbent worker training to ensure contracts with employers provide sufficient information to include participants in reporting. Incumbent workers should be reported in the WIASRD under element number 911 until a new reporting layout is available.

### **Transitional Jobs**

Transitional jobs are a new type of work-based training that is allowed under WIOA. Transitional jobs are time-limited work experiences that are subsidized and are in the public, private, or nonprofit sectors for individuals with barriers to employment who are chronically unemployed or have an inconsistent work history, and are combined with comprehensive career and supportive services. The goal of transitional jobs is to establish a work history for the individual that demonstrates success in the workplace, and develops the skills that lead to entry into and retention in unsubsidized employment. Unlike OJT, there is no assumption that the individual will be retained in their transitional job after the experience is over, though that would be a successful experience and outcome. Under section 134(d)(5) of WIOA, local boards may use up to 10 percent of their adult and dislocated worker funds to provide transitional jobs to individuals.

If local areas choose to use transitional jobs as part of their service delivery strategy, they should adopt policies and identify employers (public, private or nonprofit) that can provide quality experiences for individuals to eventually obtain unsubsidized employment. Additionally, these policies should include plans on the amount reimbursements would be for the jobs, what supportive services should be included, and any limits on the duration of the transitional job.

20 CFR 680.840 states that transitional jobs **must** be combined with comprehensive career services and supportive services (see **Attachment A**).

### **Action Required**

This guidance should be shared with all staff members who are involved in the referral of customers to training, and to staff involved in the development of training contracts. Local areas are strongly encouraged to develop documented policies and procedures that ensure the required coordination of training funds as required by 20 CFR 680.230. This means that a local area must be able to demonstrate that they have

identified and used other program funds (such as TANF) to pay for training services when they are available to a customer. Local areas should also adopt policies related to the provision of work-based training. The State will provide additional guidance and technical assistance regarding the coordination of training funds and the development of work-based training contracts.

**References and Links:**

WIOA Sec. 134; 20 CFR 680.230

2 CFR 200: <http://www.ecfr.gov/cgi-bin/text-idx?node=2:1.1.2.2.1>

TEGL 3-15: [https://wdr.doleta.gov/directives/attach/TEGL/TEGL\\_03-15.pdf](https://wdr.doleta.gov/directives/attach/TEGL/TEGL_03-15.pdf)

**Authority**

New Jersey Department of Labor and Workforce Development	<b>X</b>
State Employment And Training Commission	

**Questions**

For general questions regarding this guidance, contact John Bicica, Chief, Office of WIOA Technical Assistance and Capacity Building, at [john.bicica@dol.nj.gov](mailto:john.bicica@dol.nj.gov)

## ATTACHMENT A

### **Subpart F—Work-Based Training**

#### **20 CFR 680.700 What are the requirements for on-the-job training?**

(a) On-the-job training (OJT) is defined at WIOA sec. 3(44). OJT is provided under a contract with an employer in the public, private nonprofit, or private sector. Through the OJT contract, occupational training is provided for the WIOA participant in exchange for the reimbursement, typically up to 50 percent of the wage rate of the participant, for the extraordinary costs of providing the training and supervision related to the training. In limited circumstances, as provided in WIOA sec. 134(c)(3)(h) and § 680.730, the reimbursement may be up to 75 percent of the wage rate of the participant.

(b) On-the-job training contracts under WIOA title I, must not be entered into with an employer who has received payments under previous contracts under WIOA or WIA if the employer has exhibited a pattern of failing to provide on-the-job training participants with continued long-term employment as regular employees with wages and employment benefits (including health benefits) and working conditions at the same level and to the same extent as other employees working a similar length of time and doing the same type of work. (WIOA sec. 194(4))

(c) An OJT contract must be limited to the period of time required for a participant to become proficient in the occupation for which the training is being provided. In determining the appropriate length of the contract, consideration should be given to the skill requirements of the occupation, the academic and occupational skill level of the participant, prior work experience, and the participant's individual employment plan. (WIOA sec. 3(44)(C))

#### **20 CFR 680.710 What are the requirements for on-the-job training contracts for employed workers?**

OJT contracts may be written for eligible employed workers when:

(a) The employee is not earning a self-sufficient wage as determined by Local Board policy;

(b) The requirements in § 680.700 are met; and

(c) The OJT relates to the introduction of new technologies, introduction to new production or service procedures, upgrading to new jobs that require additional skills, workplace literacy, or other appropriate purposes identified by the Local Board.

#### **20 CFR 680.720 What conditions govern on-the-job training payments to employers?**

(a) On-the-job training payments to employers are deemed to be compensation for the extraordinary costs associated with training participants and potentially lower productivity of the participants while in the OJT.

(b) Employers may be reimbursed up to 50 percent of the wage rate of an OJT participant, and up to 75 percent using the criteria in § 680.730, for the extraordinary costs of providing the training and additional supervision related to the OJT. (WIOA secs. 3(44) and 134(c)(3)(H)(i))

(c) Employers are not required to document such extraordinary costs.

#### **20 CFR 680.730 Under what conditions may a Governor or Local Board raise the on-the-job training reimbursement rate up to 75 percent of the wage rate?**

(a) The Governor may increase the reimbursement rate for OJT contracts funded through the statewide employment and training activities described in § 682.210 up to 75 percent, and the Local Board may also increase the reimbursement rate for OJT contracts described in §680.320(a)(1) up to 75 percent, when taking into account the following factors: (WIOA sec.

134(c)(H)(ii))

(1) The characteristics of the participants taking into consideration whether they are “individuals with barriers to employment,” as defined in WIOA sec. 3(24);

(2) The size of the employer, with an emphasis on small businesses;

## ATTACHMENT A

(3) The quality of employer-provided training and advancement opportunities, for example if the OJT contract is for an in-demand occupation and will lead to an industry-recognized credential; and

(4) Other factors the Governor or Local Board may determine to be appropriate, which may include the number of employees participating, wage and benefit levels of the employees (both at present and after completion), and relation of the training to the competitiveness of the participant.

(b) Governors or Local Boards must document the factors used when deciding to increase the wage reimbursement levels above 50 percent up to 75 percent.

### **20 CFR 680.740 How can on-the-job training funds be used to support placing participants into a registered apprenticeship program?**

(a) OJT contracts may be written with registered apprenticeship programs or participating employers in registered apprenticeship programs for the on-the-job training portion of the registered apprenticeship program consistent with § 680.700. Depending on the length of the registered apprenticeship and State and local OJT policies, these funds may cover some or all of the registered apprenticeship training. (b) If the apprentice is unemployed at the time of participation, the OJT must be conducted as described in § 680.700. If the apprentice is employed at the time of participation, the OJT must be conducted as described in § 680.700

### **20 CFR 680.750 Can Individual Training Account and on-the-job training funds be combined to support placing participants into a registered apprenticeship program?**

There is no Federal prohibition on using both ITA and OJT funds when placing participants into a registered apprenticeship program. See § 680.330 on using ITAs to support participants in registered apprenticeship.

### **20 CFR 680.760 What is customized training?**

Customized training is training:

(a) That is designed to meet the special requirements of an employer (including a group of employers);

(b) That is conducted with a commitment by the employer to employ an individual upon successful completion of the training; and

(c) For which the employer pays for a significant cost of the training, as determined by the Local Board in accordance with the factors identified in WIOA sec. 3(14).

### **20 CFR 680.770 What are the requirements for customized training for employed workers?**

Customized training of an eligible employed individual may be provided for an employer or a group of employers when:

(a) The employee is not earning a self sufficient wage as determined by Local Board policy;

(b) The requirements in § 680.760 are met; and

(c) The customized training relates to the purposes described in § 680.710(c) or other appropriate purposes identified by the Local Board.

### **20 CFR 680.780 Who is an “incumbent worker” for purposes of statewide and local employment and training activities?**

States and local areas must establish policies and definitions to determine which workers, or groups of workers, are eligible for incumbent worker services (WIOA sec. 134(d)(4)). To qualify as an incumbent worker, the incumbent worker needs to be employed, meet the Fair Labor Standards Act requirements for an employer-employee relationship, and have an established employment history with the employer for 6



## ATTACHMENT A

months or more. The training must satisfy the requirements in WIOA sec. 134(d)(4) and § 680.790 and increase the competitiveness of the employee or employer. An incumbent worker does not necessarily have to meet the eligibility requirements for career and training services for adults and dislocated workers under this Act.

### 20 CFR 680.790 **What is incumbent worker training?**

Incumbent Worker training, for purposes of WIOA sec. 134(d)(4)(B), is training:

- (a) Designed to meet the special requirements of an employer (including a group of employers) 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.
- (b) Conducted with a commitment by the employer to retain or avert the layoffs of the incumbent worker(s) trained.

### 20 CFR 680.800 **What funds may be used for incumbent worker training?**

- (a) The local area may reserve up to 20 percent of their combined total of adult and dislocated worker allotments for incumbent worker training as described in § 680.790 (see WIOA sec. 134(d)(4)(A)(i));
- (b) The State may use their statewide activities funds (per WIOA sec. 134(a)(3)(A)(i)) and Rapid Response funds for statewide incumbent worker training activities (see §§ 682.210(b) and 682.320(b)(3)).

### 20 CFR 680.810 **What criteria must be taken into account for an employer to be eligible to receive local incumbent worker funds?**

The Local Board must consider under WIOA sec. 134(d)(4)(A)(ii):

- (a) The characteristics of the participants in the program;
- (b) The relationship of the training to the competitiveness of a participant and the employer; and
- (c) Other factors the Local Board determines appropriate, including number of employees trained, wages and benefits including post training increases, and the existence of other training opportunities provided by the employer.

### 20 CFR 680.820 **Are there cost sharing requirements for local area incumbent worker training?**

Yes. Under WIOA secs. 134(d)(4)(C) and 134(d)(4)(D)(i)–(iii), employers participating in incumbent worker training are required to pay the non-Federal share of the cost of providing training to their incumbent workers. The amount of the non-Federal share will depend upon the limits established under WIOA secs. 134(d)(4)(ii)(C) and (D).

### 20 CFR 680.830 **What is a transitional job?**

A transitional job is one that provides a limited work experience that is subsidized in the public, private, or non-profit sectors for those individuals with barriers to employment because of chronic unemployment or inconsistent work history; these jobs are designed to enable an individual to establish a work history, demonstrate work success, and develop the skills that lead to unsubsidized employment. (WIOA sec. 134 (d)(5))

## ATTACHMENT A

### 20 CFR 680.840 **What funds may be used for transitional jobs?**

The local area may use up to 10 percent of their combined total of adult and dislocated worker allotments for transitional jobs as described in § 680.810 (see WIOA sec. 134(d)(5)).

Transitional jobs must be combined with comprehensive career services (see § 680.150) and supportive services (see § 680.900).

### 20 CFR 680.850 **May funds provided to employers for work-based training be used to assist, promote, or deter union organizing?**

No, funds provided to employers for work-based training, as described in this subpart, must not be used to directly or indirectly assist, promote or deter union organizing. (WIOA sec. 181(b)(7))

### 20 CFR 680.170 **What is an internship or work experience for adults and dislocated workers?**

For the purposes of WIOA sec. 134(c)(2)(A)(xii)(VII), internships or work experiences are a planned, structured learning experience that takes place in a workplace for a limited period of time. Work experience may be paid or unpaid, as appropriate. An internship or work experience may be arranged within the private for profit sector, the non-profit sector, or the public sector. Labor standards apply in any work experience setting where an employee/employer relationship, as defined by the Fair Labor Standards Act, exists.

## Attachment B

**Career Services**-These are services that must be made available to adults and dislocated workers in an at least one career center in each local area. There are 13 career services; the Notice of Proposed Rulemaking at 20 CFR 678.430 identifies three categories of career services:

- **Basic Career Services**
- **Individualized Career Services**
- **Follow-up Career Services**

**Basic Career Services**-These are services that must be made available to all job seekers. They include informational and labor exchange services:

- Determinations of whether the individuals are eligible to receive assistance from the adult, dislocated worker or youth programs;
- Outreach, intake (which may include worker profiling), and orientation to the information and other services available through the one-stop delivery system;
- Initial assessment of skill levels (including literacy, numeracy, and English language proficiency), aptitudes, abilities (including skills gaps), and supportive service needs;
- Labor Exchange services, including—
  - (I) Job search and placement assistance and, in appropriate cases, career counseling, including—
    - (aa) provision of information on in-demand industry sectors and occupations; and
    - (bb) provision of information on nontraditional employment; and
  - (II) appropriate recruitment and other business services on behalf of employers, including small employers, in the local area, which services may include services described in this subsection, such as providing information and referral to specialized business services not traditionally offered through the one-stop delivery system;
    - Provision of referrals to and coordination of activities with other programs and services, including programs and services within the one-stop delivery system and, in appropriate cases, other workforce development programs;
    - Provision of workforce and labor market employment statistics information, including the provision of accurate information relating to local, regional, and national labor market areas, including—
  - (II) Job vacancy listings in such labor market areas;
  - (III) information on job skills necessary to obtain the jobs described in subclause (I); and
  - (III) information relating to local occupations in demand and the earnings, skill requirements, and opportunities for advancement for such occupations; and

- Provision of performance information and program cost information on eligible providers of training services, provided by program, and eligible providers of youth workforce investment activities, providers of adult education, providers of career and technical education activities at the postsecondary level, and career and technical education activities available to school dropouts, under the Carl D. Perkins Career and Technical Education Act of 2006 and providers of vocational rehabilitation services described in title I of the Rehabilitation Act
- Provision of information, in formats that are usable by and understandable to one-stop center customers, regarding how the local area is performing on the local performance accountability
- measures described in section 116(c) and any additional performance information with respect to the one-stop delivery system in the local area;
- Provision of information, in formats that are usable by and understandable to one-stop center customers, relating to the availability of supportive services or assistance, including childcare, child support, medical or child health assistance under title XIX or XXI of the Social Security Act, benefits under the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008, assistance through the earned income tax credit under section 32 of the Internal Revenue Code of 1986, and assistance under a State program for temporary assistance for needy families funded under part A of title IV of the Social Security Act and other supportive services and transportation provided through funds made available under such part, available in the local area;
- Referral to the services or assistance described in subclause (I), as appropriate;
- Provision of information and assistance regarding filing claims for unemployment compensation;
- Assistance in establishing eligibility for programs of financial aid assistance for training and education programs that are not funded under this Act;

**Individualized Career Services**-These are services that must be made available if determined to be appropriate in order for an individual to obtain or retain employment, Priority for Individualized Career Services for customers funded under the Title I adult program must be provided to participants who are public assistance recipients, other low-income individuals and individuals who are basic skills deficient. These services include the following, as consistent with WIOA requirements and federal cost principles:

- Comprehensive and specialized assessments of the skill levels and service needs of adults and dislocated workers, which may include—
  - (aa) diagnostic testing and use of other assessment tools; and (bb) in-depth interviewing and evaluation to identify employment barriers and appropriate employment goals;
  - (II) development of an individual employment plan, to identify the employment goals, appropriate achievement objectives, and appropriate combination of services for the participant to achieve the employment goals, including providing information on eligible providers of training services pursuant to paragraph (3)(F)(ii), and career pathways to attain career objectives; (III) group counseling;

(IV) individual counseling;

(V) career planning;

(VI) short-term prevocational services, including development of learning skills, communication skills, interviewing skills, punctuality, personal maintenance skills, and professional conduct, to prepare individuals for unsubsidized employment or training;

(VII) internships and work experiences that are linked to careers;

(VIII) workforce preparation activities;

(IX) financial literacy services, such as the activities described in section 129(b)(2)(D);

(X) out-of-area job search assistance and relocation assistance; or

(XI) English language acquisition and integrated education and training programs; and

**Follow-up Services**-These services are provided, as appropriate, to participants in adult and dislocated worker activities placed in unsubsidized employment, for a minimum of 12 months after the first day of employment. These services include counseling regarding the workplace for participants in workforce investment activities authorized under this subtitle placed in unsubsidized employment, for not less than 12 months after the first day of the employment, as appropriate

### **Training Services**

1) Occupational skills training, including training for nontraditional employment

2) On-the-job training

3) Incumbent worker training

4) Programs that combine workplace training with related instruction, which may include cooperative education programs

5) Training programs operated by the private sector

6) Skill upgrading and retraining

7) Entrepreneurial training;

8) Transitional jobs

9) Job readiness training provided in combination with services described above

10) Adult education and literacy activities, including activities of English language acquisition and integrated education and training programs, provided concurrently or in combination with services described in any of clauses (1) through (7); and

11) Customized training conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of the training.