TRANSITIONAL JOBS POLICY

Effective Date: June 18, 2020

Background: The Region VII Workforce Development Board (WDB) views transitional jobs as instrumental for the purpose of employment and training services for adults and dislocated workers. Individuals completing transitional job programs are eligible to receive appropriate certificates of completion and possibly credentials. In Region VII, the transitional jobs program consists of three components: paid work experiences, classroom training, and supportive services.

Transitional jobs are defined as follows:

A. Transitional Jobs: A planned, structured learning experience that takes place in a workplace for a limited period of time for those who have had little or no prior experience in the workplace. This may include a work study program which enriches the client's academic knowledge, job readiness skills and at the same time, offers "Real Time" experience in the workplace. Also, this may include a work study program which enriches the client's academic knowledge primarily in a specific skill. This training should also expose the clients to a specific career path.

B. Adult and Dislocated Worker transitional jobs are considered to be a-WIOA career level service.

General Transitional Jobs Provisions: General provisions for determining the appropriateness of transitional job activities are intended for individuals who fit the following categories:

1. Have little or no prior experience in the workplace;

2. Have experienced difficulty in maintaining employment in the past due to barriers that can best be addressed and overcome through transitional job enrollment;

3. Have a need to experience the fundamentals of maintaining consistent employment.

4. In most cases, have little or no previous experience in new occupation of choice.

5. Can be placed at a worksite that will provide occupation specific knowledge and experience in their area of occupational choice toward meeting their specific career goals.

6. Dislocated Workers who have been recently dislocated from the employment that existed over a long period of time generally do not qualify for transitional job enrollment. All exceptions must have documented justification in the client's file.

7. The Region VII WDB may use up to 10 percent of its combined total of adult and dislocated worker allotments for transitional jobs.

General Provisions for Development of Transitional Job Agreements and/or Contracts:

A. The intent of a transitional job activity is to obtain experience. It is not the intent for a transitional job employer to enter into a contract with the knowledge that the client will be hired at the conclusion of training. These types of arrangements would be more appropriate as On-The-Job Training.

   Service providers should encourage an employer, when appropriate, to develop the experience/internship into an OJT and/or a permanent employment position.

B. Care must be taken when documenting the justification for these activities. Participants' transitional job contract or agreements must indicate the following language:

   1. Participants' assessments must establish that transitional job training is needed to prepare the individual for unsubsidized employment or career training.

   2. Participants' individual employment plans must identify their transitional job field of training, outlining goals and objectives with defined timelines and projected completion dates.

C. Parameters for identifying required elements and development of transitional job agreements/contracts are as follows:

   1. Transitional jobs may be paid or unpaid, as appropriate.

   2. Transitional jobs may be in the private for profit sector, the nonprofit sector, or the public sector.

   3. Labor standards apply in any transitional job where an employee/employer relationship, as defined by the Fair Labor Standards Act, exists.

   4. Transitional job clients cannot be placed in a job that may cause the displacement of a regular employee. Documented assurances that this will not occur must be part of the transitional job contract.

   5. Transitional jobs are for a limited time. The WDB has established the maximum period for transitional jobs not to exceed 3 months. Extensions to the WDB's time period must be submitted in writing to the WDB and approved by the WDB Executive Director and/or designee.

General Provisions for Contracting and/or Establishing Agreements with Transitional Jobs Employers:

A worksite agreement, or contract, must be in place prior to the client beginning this activity. The contract must include the following provisions, and a copy of the agreement must be maintained in the client file:

A. Specific dates of enrollment in the transitional job activity (i.e., start date and end date);

B. A complete job description, including specific skills to be obtained;

C. A statement of hourly wage to be paid $10.00 per hour, estimated total hours of enrollment, as well as total contract obligation;

D. Signatures of service provider, employer, and client.

General Provisions for Transitional Jobs Attendance and Wages

Documentation of hours and wages must be maintained as follows:

A. Transitional jobs shall never pay less than the State of West Virginia or local minimum wage laws.

B. The WDB has determined that transitional job wages will not exceed $10.00 per hour without WDB approval.

C. Transitional jobs will be limited to 32 hours per week for adults. No allowances are made for holiday, overtime, or sick leave pay.

D. Service providers are required to complete an IRS form W-4 for the client prior to the commencement of these activities. Federal income taxes must be withheld at an appropriate rate as determined by the client's W-4. A W-2 form shall be issued to work transitional job clients at the end of each calendar year.

E. It is the service provider's responsibility and also a WDB requirement to maintain Worker's Compensation insurances for each transitional job client. Service providers shall not be allowed to provide this training for their participants if Worker's Compensation insurance has not been procured.

F. Documented time spent, wages paid, and goals to be obtained must be part of a WIOA client's file.

Equal Opportunity and Grievances: The Region VII Workforce Development Board prohibits discrimination in all aspects of the administration, management, and operation of Workforce Innovation and Opportunity Act programs and activities. Services offered at the Region VII WorkForce WV Career Centers will be provided universally without regard to race, color, religion, sex, national origin, age, disability, or political affiliation or belief. Individuals may file a complaint or grievance by following the Region VII Workforce Development Board Grievance Procedure Policy, a copy of which will be provided upon request.

Questions: Contact the Region VII Workforce Development Board Executive Director, 151 Robert C. Byrd Industrial Park Road, Suite 2, Moorefield, WV 26836. Telephone number is (304) 530-5258. Fax number is (304) 530-5107.

Expiration: Effective until rescinded, in writing, by the Region VII Workforce Development Board.

T.J. Van Meter, Executive Director — Date 6.18.20

Layne Diehl, Chairperson Region VII WDB — Date 6/18/2020