

**On-the-Job Training**

**Toolkit**





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# Introduction

WIOA was signed into law in July 2014 and strengthens existing workforce development and adult education programs by serving low-income adults, dislocated workers, and youth who are most in need and face barriers to employment. Additionally, WIOA expands on the education and training options that are available to job seekers and businesses , with the goal of increasing access to better careers and professional advancement. These programs also help disadvantaged & unemployed adults, as well as eligible youth earn wages while learning through support services and effective employment-based activities.

The workforce services available under WIOA are delivered through the nation’s American Job Centers (AJC), also known as One Stop centers. Participants seeking employment and training services can visit any AJC to access services authorized under WIOA, in addition to other services and opportunities.

Work-Based Learning[[1]](#footnote-1)

Work-based learning activities involve building worker skills and establishing pathways to higher wages and career opportunities. Work-based learning strategies emphasize business engagement, incorporate training objectives while job-seeking participants are working, and lead to unsubsidized employment. A key advantage of work-based learning is that job seekers and participants can “earn while they learn” and achieve improved employment and earnings outcomes. Types of work-based training eligible for WIOA funding include: registered apprenticeship programs, OJT programs, customized training programs and incumbent worker training. An internship or other work experiences like Transitional Jobs are also eligible for WIOA funding.

In addition to the advantages for job seekers, work-based learning opportunities provide businesses with occasions to help develop and retain a skilled workforce utilizing WIOA resources.

For additional information regarding Work-Based Learning under WIOA, please visit:

* [TEGL 19-16](https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=3851), “*Guidance on Services provided through the Adult and Dislocated Worker Programs under the Workforce Innovation and Opportunity Act (WIOA) and the Wagner-Peyser Act Employment Service (ES), as amended by title III of WIOA, and for Implementation of the WIOA Final Rules*. “
* Workforce GPS page on Work-Based Learning for Adults and Dislocated Workers: <https://ion.workforcegps.org/resources/2017/03/09/12/20/Work-Based_Learning_-_Adult_and_Dislocated_Worker_Programs>

On-the-Job Training (OJT) is a work-based training strategy available through Workforce Innovation and Opportunity Act (WIOA) resources delivered through the public workforce system. This guide provides an overview of different policies and procedures for States and Local areas to consider when developing OJT programs. States and local areas may use this as a guide for implementing OJT opportunities for job seekers and businesses in the public workforce system.

OJT Success Stories

OJT opportunities have lead to employment success for many jobseekers, below are two stories that describe how OJTs can put people on the path to unsubsidized employment:

**Success Story 1**

Michael came to Peninsula Worklink in mid-October 2016, with a growing family to support and no real skill set. He already had a GED but had been working only part time and earning only minimum wage. He needed to find full-time employment. He and his Career Planner decided on a referral to the OJT Program. His Work Keys assessment earned him a silver CRC with Level 6 scores in both reading and math. For the next three weeks he applied to every job posting that was sent to him and attended every hiring event at the AJC. Each prospective employer was offered the OJT wage reimbursement. Michael was being considered for employment with three local companies, when Canon Virginia made the first offer and he accepted an OJT slot as a Manufacturing Production Technician. He began his OJT with Canon Virginia at $11.65/hr. and completed 480 on-the-job training hours in just four months. He is now eligible for company sponsored benefits, which includes tuition assistance, and at the end of his first quarter follow-up, is earning $12.25/hr. He has been offered unsubsidized on-the-job training to learn maintenance and repair of Canon’s industrial machinery.

**Success Story 2**

Robert had been looking for employment since September 2015 but could not find anything, he believed, due to his lack of education. After being referred to El Centro One-Stop Center, he received detailed information about an OJT program. Through the AJC, he was able to secure employment with Silverdale Cheese. The OJT opportunity offered a liveable wage while training him in new skills that will make him more valuable as an employee. Robert has been learning safety, equipment maintenance, chemical handling, and has received the Hazard Analysis and Critical Control Point (HACCP) food safety training. He is currently working on making samples of Pepper Jack, Mozzarella, and Cheddar cheese and is also learning specifics of the machines in the plant that include the maintenance, teardown, and rebuild processes. Robert believes that at some point, he will further his education. In the meantime, Robert will continue to learn new skills in this job. He firmly believes that if it had not been for this OJT program, it would have been much harder to rejoin the workforce.

II.Purpose of On-the-Job Training (OJT)

What is OJT?[[2]](#footnote-2)

OJT is a proven, evidence-based strategy under WIOA that provides for reimbursements to businesses to help compensate for the costs associated with skills upgrading and loss of production for the training of newly hired employees. OJT funds provide reimbursements to businesses of up to 50 percent of the wage rate of OJT participants (in certain circumstances up to 75 percent) to help defray the personnel training costs of new employees.[[3]](#footnote-3) OJT programs can assist businesses who are looking to expand and who need additional staff trained with specialized skills. In an OJT program, the business is generally the entitiy providing the training, which helps to ensure all training is relevant to the job into which the participant is placed. In some instances, however, the employer offering the OJT, may require the participant to receive additional training, if the position requires it, e.g. more specialized IT skills. In such cases, an outside training provider may be hired.

Target Populations - On-the-Job Training target populations include adult and dislocated workers, presently unemployed and underemployed workers, as well as out-of-school youth. Individuals must meet WIOA eligibility criteria to participate in OJT programs.[[4]](#footnote-4)

OJT Funds under WIOA and registered Apprenticeship programs

*REGISTERED APPRENTICESHIP*

One type of OJT opportunity that can be utilized under WIOA is through placing WIOA participants into Registered Apprenticeship (RA) programs. There are five components to every RA program:

1. Employer Involvement – Employers are the foundation of the RA program and must be the provider of OJT;
2. On-the-Job Training – Every RA program includes an OJT component lasting at least one year;
3. Related Technical Instruction – Every RA program includes a classroom training or academic component (with an annual recommendation of 144 hours) to supplement on-the-job learning and training;
4. Wage Progression – Every RA program must have at least one incremental wage increase commensurate with an increase in skills;
5. National Occupational Credential – The RA Completion Certificate is a recognized post-secondary credential under WIOA.[[5]](#footnote-5)

Regardless of its size, OJT is a core component of every RA program.

III.On-the-Job Training Policies and Procedures Manual

****[Insert State/Board Name Here]****

1. The Purpose of this Manual is to:

* Provide an overview of OJT;
* Encourage the use of OJT as a strategy that has a proven track record of helping unemployed workers gain new skills and to find and retain employment;
* Provide minimum standards and suggestions for operating federally-funded OJT programs;
* Encourage OJT providers (employers and other entities providing OJT, per WIOA sec. 3(44)) to develop consistent protocols and processes across workforce areas for outreach and building effective OJTs.[[6]](#footnote-6)

WIOA enhances the access of job-seeking individuals to employment, education, training, and supportive services that foster success in the labor market by providing the skills needed to compete in the global economy. Using work-based learning strategies is a key factor in helping adults and dislocated workers find employment; potential employees are easier to find and develop when employers are involved in the process. Moreover, the reimbursement of incurred training costs to employers creates an environment conducive to better training and, in turn, better employees.

OJT models have proven to be effective when they involve an ongoing partnership between the business and the workforce system. They provide individualized career services identifying appropriate matches between the business and the jobseeker and make available any needed supportive services to ensure the OJT participant can successfully participate.

“On-the-Job Training'' is defined in WIOA sec. 3(44) as training by an employer that is provided to a paid participant while engaged in productive work in a job that:

* Provides knowledge or skills essential to the full and adequate performance of the job;
* Provides reimbursement to the employer, typically up to 50 percent of the wage rate of the participant, for the extraordinary costs of providing the training and additional supervision related to the OJT. In limited circumstances, the reimbursement may be up to 75 percent of the wage rate of the participant; and
* Is limited in duration as appropriate to the occupation for which the participant is being trained, taking into account the content of the training, the prior work experience of the participant, and the service strategy of the participant, as appropriate.[[7]](#footnote-7)

OJT provides an excellent opportunity for individuals to build or update their skills and/or establish themselves in emerging high-demand fields. It also provides an incentive for businesses to hire individuals and invest in their skill development.

OJT programs can be particularly successful for individuals who:

* Are unable or unlikely to obtain employment without retraining;
* Are low income, receiving unemployment insurance, or public assistance, or need to earn a wage while learning an occupational skill;
* Are individuals with barriers to employment who need help finding their next job;
* Are individuals who can learn the skills necessary for the occupation more easily and thoroughly on the job; and/or,
* Need supervision as they learn specific skills for an occupation.

OJT may also be a good option for currently-employed individuals not earning a self-sufficient wage or not earning wages sufficiently comparable to or higher than wages from previous employment. Participants of an OJT program can acquire additional skills by being introduced to new technologies, or increasing their workplace literacy. The local Workforce Development Board can also identify other applicable training opportunities.

Employers or Registered Apprenticeship program sponsors in the public, private non-profit, or private sectors providing an OJT contract receive reimbursement for the extraordinary costs of training. These costs include the provision of occupational training as well as supervision of a new employee. An agreement with the employer specifies the duration of training as well as the skills and competencies to be acquired by the participant. WIOA also allows both Individual Training Accounts (ITA) and OJT funds to be used when placing participants into a Registered Apprenticeship program or with a training provider.

1. OJT Policies

Establishing OJT policies is critical for consistency and institutionalizing best practices, allowing the grantee, the employer, and the participant to better understand the program. Local workforce development areas are encouraged to collaborate with adjacent areas to establish consistent policies for OJT. This is particularly important when potential businesses and job seekers naturally cross workforce area boundaries. Often, these OJT policies would address the following types of issues:

* Policy:
* Requirements: provide policy guidance on the federal, state, and local area regulations and procedures. This would include the documentation requirement (see section 6 for further information on required documents) and guidance on developing these documents to meet the OJT requirements.
* Types of OJTs: address the policies surrounding the types of OJT including upgrading skills and achieving self-sufficiency, taking classroom and OJT training simultaneously, OJTs that support Registered Apprenticeship programs, partner programs and special OJTs.
* State and Local policies for increasing the reimbursement rate to 75 percent of the participant’s wage rate, taking into account:
  + Characteristics of the participant(s);
  + Size of the employer(s);
  + Quality of employer-provided training and advancement opportunities;
  + Other factors identified in State and Local policies, may include:
    - Number of employees participating in the training
    - Wage and benefit levels of employees (both pre and post training)
    - Relation of training to competitiveness of the participant
* Training Types:
* Types of training when in an OJT position: the OJT participant may need or want to receive additional training if the OJT position is in new technologies, introduce new production or service procedures, involve an upgrade to new jobs that require additional skills, be in need of soft skills such as workplace literacy, as well as other skills that the employer may not be able to provide. As mentioned in the introduction, the employer may require that the participant attend training offered by an outside provider. A career pathway approach may be applied utilizing both an ITA in conjunction with OJT, which offers individuals the opportunity to earn marketable credentials, leading to furthering their education towards achieving economic success.
* Preferences in training occupations: some local areas may want to align OJT training efforts with high growth/in-demand occupations and sectors as identified in a local sector strategy plan. In this case, local areas may want to establish a

policy preference for training in particular industries or occupations identified as high-growth in the local area or region. Similarly, local areas may want to align OJT training efforts with any existing or developing plans to substantively support and integrate Registered Apprenticeship into service design and delivery.

* Training Duration:
* Although there is no legal limit to the duration of training, most local areas set limits on the length of training, or issue guidance based on the complexity of the job to be learned. Most local areas limit the training to no fewer than 4 weeks and no more than 26 weeks.
* When adopting a training policy, it is recommended to use a readily available occupational information source such as O\*NET, or any other classification model. The policy should specify how long or short the training sessions should be for participants, based on individual assessments of the participant's background, skills, and barriers to employment. It should also set a maximum and minimum allowable length for the OJT, which should also be mentioned in the OJT contract.
* Funding:
* Allowable costs: define what are allowable OJT costs and reimbursements as well as the type of costs that are not allowable.
* Limits on the expenditure per individual: some local areas set limits similar to those for classroom training, or allow individuals to combine classroom training (utilizing ITAs) and OJT within a given funding limit.
* Additional items for reimbursement: in addition to the cost of training, generally calculated as a portion of the hourly wage, some local areas will reimburse the employer or the individual for the cost of such items as uniforms, tools, licensing fees, or additional coursework related to the training occupation.
* Reimbursement terms: some local areas enforce reimbursement terms to support participant retention. For instance, the administrator of an OJT program may reimburse an employer:
  + Monthly, or
  + The first half of the OJT reimbursement at the end of the training period and upon the participant’s successful completion of the training plan; or
  + The second half of the OJT reimbursement at the end of the 90-day retention period if the participant is still employed and working 30 hours or more each week.

Additional Considerations

When considering the costs associated with a particular OJT contract, it is advisable to ensure that that the training proposed be commensurate with the occupation and job requirements. Following are some helpful questions to pose:

* Is the OJT occupation that the participant is engaging in, correctly classified so that an adequate training time can be determined?
* Does the training time for that occupation allot enough time for the participant to learn the job?
* Does the training time adjusted (longer or shorter) reflect, if needed, time for additional assistance the participant may need?

1. OJT Outreach

Outreach is proposed to promote the use of OJT at both the state and local levels, and to both employers and job seekers. AJC staff should ensure that both the Business Services function and the Job Seeker Services functions include information about OJT with objectives for outreach defined regionally and suited to the area employment conditions with the main focus being on jobs in high-growth/in-demand sectors or occupations.

Outreach can be done directly or indirectly to both employers and job seekers. Integrating OJT outreach into Business Services activities minimizes the chance of multiple staff contacting one employer.

Outreach includes, but is not limited to: face-to-face contacts, partnering with, for example, Registered Apprenticeship programs on employer visits, hard-copy mail outs (introductory letters, notes of appreciation, newsletters), involvement with organizations like the Chamber of Commerce and organizations representing industry sectors, partnerships with local economic development, press releases, networking with other agencies, and speaking to civic organizations.

Sample outreach strategies include:

* Researching businesses thoroughly before contacting them and noting previous labor needs;
* Working with other agencies to target high growth industries for regional outreach;
* Working with State Apprenticeship Agency (SAA) and Office of Apprenticeship (OA) staff who interact with business as part of their primary function;
* Educating employers about how the OJT model can enhance their business, cut waste, help train employees, reduce turnover and increase profits;
* Educating job seekers about how to “sell” OJT to potential employers;
* Ensuring required paperwork is minimal.

1. Employer Pre-Screening for OJT

OJT is provided under an agreement with an employer in the public, private non-profit, or private sector. Prior to entering into an OJT agreement, a pre-screening should be conducted to ensure that the employer meets the minimum standards and can provide both training and employment to an OJT participant. If additional training is needed, the AJC or service operator should ensure that a third party training provider is included in the agreement.

Employer checklists must include (at a minimum):

* The business has not exhibited a pattern of failing to provide OJT participants with continued employment;[[8]](#footnote-8)
* The business verifies WIOA funds will **not** be used to relocate operations in whole or in part[[9]](#footnote-9);
* The business has operated at its current location for at least 120 days. If less than 120 days and the business relocated from another area in the U.S and individual(s)/employees were not laid off at the previous location as a result of the relocation;[[10]](#footnote-10)
* The business is not utilizing OJT participants to fill job openings as a result of a labor dispute;[[11]](#footnote-11)
* OJT funds will not be used to directly or indirectly assist, promote, or deter union organizing;[[12]](#footnote-12)
* The OJT will not result in the full or partial displacement of employed workers;[[13]](#footnote-13)

Participant wages to be paid are:[[14]](#footnote-14)

* At the same rate, including periodic increases, as other participants or employees who are similarly situated in comparable occupations with the same employer, and who have equivalent training, experience, and skills;
* In any event, no less than the higher of the rate specified in section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1) or the applicable Federal, State or local minimum wage;
* Participants must be provided benefits (*e.g.*, workers’ compensation, health insurance, unemployment insurance, retirement benefits) at the same level and to the same extent as other participants or employees working a similar length of time and doing the same type of work;[[15]](#footnote-15)
* The employer will comply with the non-discrimination and equal opportunity provisions of WIOA law and regulations;[[16]](#footnote-16)
* A recommended reimbursement rate for the employer is based on factors consistent with state and local policies.

1. OJT PARTICIPANT Requirements

Upon visiting an AJC, an individual may be considered for an OJT when he/she has met the eligibility requirements for the adult or dislocated worker program, and has been determined to be in need of training services. Once deemed eligible, the individual will then receive an assessment and may have developed an Individual Employment Plan (IEP)showing that an OJT is appropriate. The individual may also be considered for any other types of work-based learning under WIOA. Individuals who are employed may still be placed in an OJT either with the employer for whom the employee currently works receiving the OJT funds, or with another business offering the individual the OJT, if the requirements of 20 CFR sections 680.700 and 680.710 are met. This includes individuals employed in either part-time or full-time work.

Proper program eligibility is required for each funding source, e.g. WIOA Adult and Dislocated Worker formula programs (including Statewide Activities), and National Dislocated Worker Grants (DWGs). Regardless of the funding stream, 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 IEP.

Participants may be co-enrolled in partner programs such as Trade Adjustment Assistance (TAA) and receive OJT. Similarly, program eligibility for each program is required. WIOA and TAA funds must be managed in a coordinated manner to best meet the needs of the participants and to avoid paying for training costs twice. WIOA allows up to 75 percent reimbursement to employers for OJT (see section 2 of this document), while the TAA Program allows reimbursement up to 50 percent. For OJT approved training for a co-enrolled TAA participant, the TAA Program may reimburse employers up to 50 percent, and WIOA may reimburse employers up to an additional 25 percent, bringing the total reimbursement to employers up to 75 percent, aligning TAA Program benefits with WIOA benefits[[17]](#footnote-17).

While not required, an IEP is an effective service in identifying the appropriate mix of career and training services for the participant. The IEP can help both the case manager and the participant identify the skills needed for achieving employment success. If a local area is utilizing an IEP, the preliminary information has been gathered, and the assessment process is completed, the local area should take into account the following considerations before placing the participant in an OJT program:

* Does the participant need to learn skills for the desired position, or do they already have those skills?
* Does the participant have a need for training?
* What is the best way for the individual to obtain the skills needed (i.e., OJT or occupational skills training or both; if both, is a Registered Apprenticeship program appropriate)?
* Can the position be obtained at this business without OJT training? If a need for OJT cannot be documented, a direct placement or referral to other services should be considered. If a need for OJT has been determined and recorded on the IEP, a referral may be made to appropriate employers.
* Is the participant likely to succeed in training?

In addition, factors used to select OJT as the most appropriate referral may include the participant’s need for occupational training, participant’s job readiness, and match of referral to the participant’s needs, interests, and employment objectives, as well as capability of the participant to complete the training. Prior to employer selection, it is vital for both the participant and the long-term relationship with the employer that the local board has identified the participant as likely to succeed in an OJT program. In summary, it is the local area’s responsibility not only to ensure the *eligibility* of the participant, but also to assure the individual’s *suitability* for OJT with the employer in question.

1. Required Documents

To encourage the use of OJT by employers and job seekers, it is critical that the OJT providers (employers) keep paperwork to a minimum. However, there are several documents required to effectively implement an OJT, including: OJT contracts, training plans, invoicing and monitoring documentation. Please note that OJT is considered a program cost under WIOA and should be reported as such on financial reports.

1. OJT CONTRACT MINIMUM REQUIREMENTS

An employer orientation must be completed with each employer and/or employer representative to discuss the contract provisions and training plans. The contract process sets the ground-rules for OJT with an employer and ensures there is a legally binding agreement between the employer and the OJT training provider, if the latter is an outside

provider. Contracts include the terms and conditions that the employer and OJT provider agree to provide for a successful OJT experience.

At a minimum, 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.[[18]](#footnote-18) Contracts should also include requirements specific to the state and local areas and related to OJTs funded through other federal programs. They may also be discussed with individual referrals. All documents should be reviewed by the legal team prior to being used.

There may be instances in which an AJC is part of a master contract with an employer with several locations in the area (e.g., national or regional retail chains). In such case, the AJC may have entered into an agreement with the employer/provider of OJT, ensuring that the OJT participants will then be hired by the employer.

The OJT contract must include any applicable provisions required by Federal statutes and executive orders listed in 2 CFR part 200, appendix II.[[19]](#footnote-19)

1. TRAINING PLANS

An OJT training plan and the corresponding training is developed based on the occupation the participant has chosen. This plan is a formal and written program of the structured job training that provides participants with a combination of instruction in job-ready skills (where indicated), general employment competencies and occupational skills that enable the participant to attain self-sufficiency. Training providers can use O\*NET and/or a job description as a basis to begin listing skills or tasks. Keep each skill description concise and comprehensive and make sure the individual tasks are observable and measurable.

The Department of Labor (DOL) encourages the inclusion of the following in a Training Plan:

* Participant and employer information: name and contact information;
* OJT contract reference that may include: start and end dates, wage rate, and reimbursement rates;
* Occupational information: job title and description, O\*NET code, and number of hours per week;
* Job skills and activities: 1) skills/activities needed to successfully reach or obtain employment in this occupation; 2) skills and activities in which participants will be trained or achieved, including an outline of any measurable skill gains to be achieved;
* Monitoring and written evaluation of participant’s performance in meeting achieved goals, (as outlined in Section D);
* Training hours: length of training time for each skill or activity;
* Progress measurement: How the progress of the participant is measured in the skills to be achieved (i.e., observation of lead worker or supervisor, demonstration of specific competencies, observation of specific tasks, etc.);
* Confirmation that it is consistent with the participant’s IEP;
* Types of tools, equipment, or classroom training needed in addition to the above and identification or Employer or WIOA program that will pay for such costs; and
* Signatures of participant and date, of Employer and date, and of OJT provider (employer or outside training provider), and date.

As already mentioned, 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 IEP.[[20]](#footnote-20)

Using machinery repair as an example, the following points need to be considered: which tools are needed, what is their proper use, what skills are necessary and what training is needed in order to disassemble and reassemble parts? O\*NET is a useful resource to use in determining the length of training, but not as useful a resource in determining the specific needs of the employer.

The training plan becomes the statement of work in the contract which is used as a guide when delivering training. It is also useful for determining whether the services contracted for have been delivered. Participant progress is determined once skills are identified and a method for measuring them is established.

1. INVOICING

Payments to employers for OJT must be in compliance with WIOA program guidelines. They are compensation for the employers’ “extraordinary costs” associated with training participants and potential lower productivity of participants while in OJT.[[21]](#footnote-21) Employers are not required to document these extraordinary costs.

The participant must receive wages and fringe benefits equal to those similarly employed by the employer. It is expected that the participant will continue working after the payments to the employer end. It is also expected that the participant will continue to receive compensation and benefits commensurate with their job performance and in alignment with other workers.

Payment to employers should be managed by an invoice system that clearly documents the number of hours worked each day by the participant and rate of pay for the time period. Invoices must be signed by both the participant and the employer or only by the employer if accompanying documentation (timesheets/time cards) is signed by the

participant and reconciled to the invoice. In case there is no available timesheet, a paystub may also be used for verification. Also, payments to employers should reflect scheduled raises and regular pay increases, if they occur.

1. MONITORING AND PERFORMANCE ACCOUNTABILITY

Periodic written evaluations should be part of the OJT contract documents. They can be simple but should reflect the skills training being provided to the participants, and show the progress the participants are making toward achieving competencies and skill gains. They are also necessary when the state and the local area need to fulfill their performance accountability roles.

Monitoring is the responsibility of both the state and the local area, though the duty may be assigned to another designated entity or individual.  Monitoring at the local level will include oversight of the participant training and corresponding employer payroll records. On site monitoring of OJT employers is required to ensure validity and propriety of the reimbursement amounts claimed, and that the training for which the contract is written is actually delivered. The on-site monitoring of the OJT must include: documentation of information received directly from the participants with the participant supervisor’s perspective about how the training is progressing, as well as the review of the employer payroll records.

1. REFERENCES

WIOA Regulations at 20 CFR, parts 680.200, 700, 710, 720, 730

[TEGL 2-15](https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=4439), “Operational Guidance for National Dislocated Worker Grants, pursuant to the Workforce Innovation and Opportunity Act (WIOA or Opportunity Act).”

[TEGL 19-16](https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=3851), “Guidance on Services provided through the Adult and Dislocated Worker Programs under the Workforce Innovation and Opportunity Act (WIOA) and the Wagner-Peyser Act Employment Service (ES), as amended by title III of WIOA, and for Implementation of the WIOA Final Rules.”

1. The words learning and training in this document are interchangeable. [↑](#footnote-ref-1)
2. WIOA sec. 3(44). [↑](#footnote-ref-2)
3. 20 CFR 680.730. [↑](#footnote-ref-3)
4. OJT 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 OJT 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. [↑](#footnote-ref-4)
5. WIOA, sec. 3(52). [↑](#footnote-ref-5)
6. *Disclaimer:  The tools, templates, and information provided in the OJT Toolkit serve as a general guide for states and local areas. Although every effort has been made to ensure that the material within this web site is accurate and timely, we make no warranties or representations as to the accuracy or completeness of the contents, whether the contents are current, or free from changes caused by third parties. All information is provided “as is” without warranty of any kind. No information provided in this site may be considered legal advice and it is the responsibility of each user of the OJT Toolkit materials to ensure that the materials meet all federal, state and local requirements. Use of the materials does not imply compliance with ETA requirements.* [↑](#footnote-ref-6)
7. WIOA section 3(44) [↑](#footnote-ref-7)
8. 20 CFR 680.700(b) [↑](#footnote-ref-8)
9. 20 CFR 683.260(a)(1) [↑](#footnote-ref-9)
10. 20 CFR 683.260(a)(2) [↑](#footnote-ref-10)
11. 20 CFR 680.840 [↑](#footnote-ref-11)
12. 20 CFR 680.830 [↑](#footnote-ref-12)
13. 20 CFR 683.270 [↑](#footnote-ref-13)
14. 20 CFR 683.275(a) [↑](#footnote-ref-14)
15. 20 CFR 683.275(c); 20 CFR 683.280(b), 20 CFR 680.700(b) [↑](#footnote-ref-15)
16. 20 CFR 683.285 [↑](#footnote-ref-16)
17. [TEGL 2-15](https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=4439) [↑](#footnote-ref-17)
18. 20 CFR 680.700(c) [↑](#footnote-ref-18)
19. Please see Attachment ….. [↑](#footnote-ref-19)
20. 20 CFR 680.700(c) [↑](#footnote-ref-20)
21. 20 CFR 680.700(a) [↑](#footnote-ref-21)