

AMENDED GLOW WORKFORCE INVESTMENT BOARD POLICY

NAME OF POLICY: **On the Job Training Policy**

APPROVAL DATE: **3/7/01**

AMENDED: **3/20/01, 8/21/01, 1/21/03, 6/07, 10/10, 11/22/10, 5/17/11**

DEFINITION: On-the-Job Training – the term “on-the-job training” is defined in WIA section 101(31) as training by an employer that is provided to a paid participant while engaged in productive work in a job that:

- (A) provides knowledge or skills essential to the full and adequate performance of the job;
- (B) provides reimbursement to the employer of up to 90 percent of the wage rate of the participant, for the extraordinary costs of providing the training and additional supervision related to the training. Reimbursement depending on funding availability, specific OJT program, and size of business.
- (C) 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, or as limited by Federal or State law.

GLOW Guidelines:

- WIA OJT can be done with new or employed workers
- OJT can be combined with other types of training if approved by county Director and WIB
- Employers must be in compliance with NYS Labor Laws
- Before granting an OJT contract, it shall be determined that abnormal labor conditions such as strike, a lockout, or other similar conditions do not exist at the establishment
- It must be documented that the OJT applicant currently does not possess the skills needed to perform the job and that such training is required in order for the trainee to secure new employment and/or upgrade employment
- A Certificate of Training Completion OJT Certificate of Competency must be signed by the employer
- An employer who has failed to meet the requirements on past OJT contracts may be turned down for future OJT contracts
- If an employer is turned down for an OJT, an appeal procedure is available
- A prospective employed OJT candidate must earn less than the GLOW WIB self-sufficiency rate
- The OJT position must be a regular position not seasonal or temporary
- It is understood that any employer entering into an On-the-Job Training Contract will agree to retain the trainee upon successful completion of his/her training, unless it is fully documented by the employer that the trainee is unable to adequately perform his/her job duties, or economic conditions lead to personnel reductions in workforce for the employer, or the employee violates company policies
- Reimbursement and length of an OJT contract will be limited as per Federal and State Law, GLOW WIB as well as TA’s provided for special OJT programs
- Supplies/tools/uniforms costs may be reimbursed as per contract and will not exceed the training costs as determined by GLOW WIB

PROCEDURES

OUTREACH APPROACHES

OJT is targeted to employers and job seekers utilizing the following approaches

Broad-based outreach to employers is the most time-efficient approach, since it can reach a large number of employers and has the potential for greater volume of OJT opportunities.

- Broad-based outreach can reach employers and open up job opportunities staff might not uncover otherwise.
- Before launching a broad-based outreach strategy, the workforce development program must have a ready source of pre-screened candidates to refer.
- Business Services Reps will match job orders that are listed in OSOS with registered job-seekers. People who are matched will serve as pool of OJT candidates. Candidates will then be pre-screened and referred to employer for interview process.

Job Seeker-focused targeted job development may offer the best results for the job seeker, since it searches for the job that most closely fits the job seeker's specific needs and goals.

- Targeted job development is more time-intensive for the staff, since outreach is done on an individualized basis. One Stop Staff will utilize SMART 2010 job matching to identify possible OJT matches and follow up with job seeker accordingly.
- Utilizing a self-referral approach, job seekers are taught how to use the possibility of OJT in the course of their job searches. This is suitable for job seekers who have good job search skills and who can learn to use OJT as another tool to secure a new job.
- Through OJT Outreach Workshops, job seekers are taught about OJT and explore how to best utilize this possibility in the course of their job searches.
- Job seekers are each given personalized letters/brochures from the program that describes OJT to a potential employer.
- Job seekers introduce this concept during the course of an interaction with an employer for a job for which the job seeker needs additional skills.
- The employer and/or job seeker contacts the business service representative to discuss the possibility of an OJT contract with the employer.
- Business Services Representatives/One Stop OJT Staff contacts the business to ensure the job is eligible for OJT. Staff also assesses job seeker to make sure there are training objectives or skills to be learned in the new position.
- The Business Services Representatives/One Stop OJT Staff speaks with and later meets with the employer to draw up a training plan, taking into account the skill requirements of the position and the skills of the individual.

Finding potential employers

There are several strategies GLOW employs to identify possible employers for the program:

- Previous Job Placements. Good sources of recruits for OJT are employers that have hired job seekers in the past. Internal program reporting will have identifying information for these employers.
- Employer workshops where information is presented regarding the advantages of using an OJT program to find and keep talent.

- Chambers of Commerce or industry organizations. Most businesses belong to local Chambers of Commerce or trade organizations within their own industries, so these are good points of contact to meet employers and discuss employer-based training programs. Also, GLOW WIB members will be accessed for possible OJT opportunities.

OVERVIEW OF ROLE OF THE GLOW ONE STOP STAFF:

The role of the Staff is to determine eligibility, screen and assess candidates, develop and maintain pools of OJT eligible candidates, referral, placement into OJT positions, counseling of participants, appropriate follow up. Additionally, One Stop staff is also responsible for contract development, monitoring, and authorization of reimbursement to the employee.

The GLOW WIB Grant Recipient is responsible for reimbursement to the E&T Directors after payment is made. The GLOW WIB Staff will monitor for Program and the Grant Recipient will monitor fiscally.

PROCESS TO APPLY FOR ON-THE-JOB TRAINING:

1) Interested Businesses can contact OJT Coordinator, Michele Nichols, GLOWWIB, (585) 344-2042, x239 or mnichols@co.genesee.ny.us who will notify county E&T Director of OJT request: Genesee County – Scott Gage; Livingston – Keith Mitchell; Orleans County – Carol Miller; Wyoming County - Rae Frank. Interested businesses may also contact the One Stop Office.

2) Every OJT needs to be vetted. Interested Businesses need to complete the Responsibility Questionnaire and Preliminary Business Application. These forms are at www.glowworks.org. The Due Diligence Form (which was in OJT NEG Program Guidance Letter) is completed by the OJT Coordinator, One Stop Staff, or GLOW Business Services Rep. The One Stop Office will keep a copy of all forms and also send to OJT Coordinator, Michele Nichols, at mnichols@co.genesee.ny.us or faxed to: (585) 344-3266. The OJT Coordinator/GLOW DOL Business Services Rep, Louis Lopez, will conduct the Vetting requirements. Once Business Services confirms if employer is in compliance with OJT Vetting Requests, the OJT Coordinator will inform the One Stop Office of Vetting approval and request of OJT.

The OJT Coordinator/Business Services Rep will conduct the vetting, which includes LWIAs confirming that the applicant business is a responsible training provider (bidder) for an OJT candidate by checking:

- Responses to Responsibility Questionnaire – If a business provides an answer of yes, they are to provide a written explanation on company letter head, signed by an officer of the company, and submitted along with the completed questionnaire. It will be the responsibility of the local area to determine if the explanation provided by the business is satisfactory, therefore allowing the contracting process to continue.
- New York State Department of Labor (NYSDOL) Records. Requests must be submitted by completing the OJT Due Diligence Form and submitted to: OJTDueDiligence@labor.ny.gov with a copy to Karen.Blankenbergl@labor.ny.gov. The subject line should read: “OJT/NEG Due Diligence Request – (Business Name). Upon receipt of the request, NYS DOL will send a confirmation email to the requesting local area. Due to the confidential nature of the state level check, NYSDOL will provide an email response of “Found to be Responsible,” “Issues Pending,” or “Not Found to be Responsible” for each entity, rather than providing any specifics for the categories of information. These responses will be provided within three business days from the date of the confirmation of receipt. This review takes a snapshot of the organization at the point in time the review takes place. The information reviewed is updated on quarterly basis. For this reason, the review is considered valid for three month period beginning on the date the review is completed. After this three month period, the organization must undergo a new diligence review if it wishes to enter into a new contract.
- Registration with the New York Department of State’s Division of Corporations - This search can be conducted online at: www.dos.state.ny.us/corps/bus_entity.search.html If you cannot find a business listed with the Division of Corporations you should reach to the business and ask them for assistance in finding their record. If the business is not registered with Division of Corporations, there are forms and fee

schedules available at their website: <http://www.dos.state.ny.us/corps/buscorps.html#certinc>. If you need further assistance, please contact Karen Blankenberg at Karen.blankenberg@labor.ny.gov.

- Federal OSHA records. These records can be found online at: <http://www.osha.gov/pls/imis/establishment.html>. Search under New York State only. When reviewing the OSHA records, only open cases at the targeted worksite trigger a “red flag.” If there is no record for the business or if the open case is on another worksite, you can consider this a “pass.” If you encounter an open case with the business, you contact your regional OSHA office, www.osha.gov/oshdir/ny.html. They will be able to provide you with details of the open case to assist you in making your determination. If you need further assistance, contact Karen Blankenberg, Regional Business Service Rep at Karen.blankenberg@labor.ny.gov
- 3) The One Stop OJT Staff/Business Services assist employers in completion of Job Order information and O*Net Code and Skill Requirements. Attached is the Training Plan.
 - 4) Prospective job seeking customers are identified by One Stop Staff for OJT opportunity (OSOS/Job Orders are matched with registered Job Seekers and candidates pre-screened). Letters have been sent out to customers who may be eligible for OJT who are instructed to contact Michele or their local One Stop Office. Michele will ask for resume and send information to the County Director/DOL Manager/Supervisors/GLOW DOL Business Services Rep to do a job match/skill assessment.
 - 5) In addition, an on-site review must be conducted with the businesses. This review will allow staff to see where the OJT participant will be working, meet the trainee's supervisor, and gain a better understanding of the business' facility and operations. The purpose of this visit is to determine whether the business will afford a viable On-the-Job training opportunity.
 - 6) Funding - As the last step in the process, OJT/NEG funds must be requested for each participant. To do this, send a completed OJT/NEG Notice of Obligational Authority (NOA) Request process to OJT Coordinator (which was in OJT NEG Program Guidance Letter). The OJT Coordinator will send into the OJT/NEG mailbox and if approved, the requesting local area will give confirmation which will allow the local area to execute the OJT contract with the business. It is anticipated that the process will take no more than 2 business days.
 - 7) One Stop Staff completes GLOW OJT Contract which shall be completed and signed prior to the participant beginning work and after being enrolled in the program. Both the One Stop and employer must have a signed copy of the contract, which includes employer's agreement to terms of contract