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|  | <b>West Central Region Local Policy</b>  |                               |
|  | <b>Subject:</b> Transitional Jobs Policy | <b>Release Date:</b> 07/24/24 |
|  | <b>Reference:</b> OWD Issuance 07-2016   | <b>Revision:</b> 6            |

This West Central Region establishes the policy below for the Workforce Innovation and Opportunity Act (WIOA) Transitional Jobs as defined in the Final Rules implementing WIOA [20 CFR 680.190 and 80.195].

**Definition**

A “transitional job” is a work-based learning activity that provides a time-limited work experience, wages-paid and subsidized in the public, private, or non-profit sectors. Transitional Jobs serve 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.

Up to ten (10%) percent of WDB’s combined total Adult and Dislocated Worker allocations can be made available for Transitional Jobs. Transitional Jobs will be combined with comprehensive Career Services and Supportive Services.


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. [TEGL WIOA NO. 19-16]

**Strategy**

Transitional Jobs is an employment strategy to stabilize individuals and their families with earned income while they gain skills and experience to transition into unsubsidized employment.

**Worksite Employer Eligibility**

- A Worksite Standards Agreement must be established with the employer.
- All Transitional Jobs placements must be for jobs in which the organization’s worksite employees performing similar work are earning state minimum wage.
- The training must not displace current employees (including a partial displacement, such as reduction in the hours of non-overtime work, wages, or employment benefits). A participant in a program or activity may not be employed in or assigned to a job if:
  - Any other individual is on layoff from the same or any substantially equivalent job; ○ The employer has terminated the employment of any regular unsubsidized employee or otherwise caused an involuntary reduction in its workforce with the intention of filling the vacancy so created with the participant; or
  - The job is created in a promotional line that infringes in any way on the promotional opportunities of current employed workers.
- Must be compliant with all Equal Opportunity (EO) regulations; does not illegally discriminate in training or hiring practices because of race, color, sex, national origin, religion, physical or mental disability, political beliefs or affiliations or age; and
- Must have safe and healthy working conditions with no previously reported health and safety violations that have been reported but have not been corrected; and

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- Shall not allow the participant to be involved in the construction, operation, or maintenance of any part of any facility that is used, or to be used, for religious instruction or as a place of worship.


### **Training**

Employers will agree to provide constructive and meaningful work experience and training activities for the participant as follows and ensure that:

- Each worksite supervisor will be provided a Supervisor Orientation for the program.
- The participant duties and activities will be described in the training plan.
- The Employer will provide the participant with a formal orientation to the requirements of the job, work rules, expectations, hours of work, and any other special requirements of the Employer.
- The worksite will provide a sufficient quantity of work/training to fully occupy the participant.
- The worksite will provide all necessary materials, supplies and equipment for the purpose of completing assigned tasks.
- The worksite supervisor will maintain close liaison with the program staff regarding:
  - Participant performance and behavior
  - Immediate notification of irregular or lack of attendance
  - Immediate notification of injury on the job
- The Employer will be responsible for reporting to the AGENCY immediately regarding termination of participants.
- The Employer will agree to provide the instruction, supervision of employees, etc. that are necessary for the participant to conduct their job duties.
- The Employer will ensure that accurate time and attendance records are completed on a daily basis and that the hours recorded will only reflect the hours the participant worked.

### **Employer of Record Requirements**

- The employer of record must carry workers' compensation to the extent available, and if the States workers' compensation law does not apply then insurance coverage must be secured for injuries suffered by the participant in the course of the Transitional Job, and must notify program staff immediately upon a workplace injury of a participant and complete the necessary forms; and
- Ensure the Transitional Job will be conducted in a safe and sanitary work environment. No trainee will be permitted to work or train in buildings or surroundings under working conditions that are unsanitary, hazardous, or dangerous to the trainee's health or safety. Participants employed or trained in inherently dangerous occupations shall be assigned to work in accordance with reasonable safety practices. The Employer agrees to maintain sanitary facilities, safe working conditions, within a drug-free workplace and compliance with

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OSHA and the Fair Labor Standards Act (FLSA) provided to the training site by the program staff; and

- Ensure that all Transitional Jobs participants have adequate worksite supervision; and
- Must conduct a WIOA worksite orientation with the worksite employer and participant prior to the start date; and
- Complete the federal E-Verify requirement within three (3) business days of the individual's hire/start date.

### **Monitoring**


The employer will be informed that the Agency, Office of Workforce Development, U.S. Department of Labor, or other such related agencies may monitor the worksite to ensure compliance with rules and regulations.

### **Participant Selection Criteria:**

- WIOA enrollees at any level of employment plan, including training or direct job placement.
- Individuals who have been unemployed a minimum of 26 weeks, or unemployed youth ages 18-24, or ex-offenders, or people experiencing homelessness, or people receiving public assistance for 24 months or longer or individuals with disabilities.
- Adult transitional employment must be combined with other activities enhancing employability or directly related to active permanent job search.
- Completion of work readiness components as directed by Job Center staff and identified in individual employment plan.
- Placement in occupational field consistent with career objective identified in individual employment plan.
- Each participant must have an updated functional resume and completed work application related to the desired work assignment.

### **Participant Requirements/Limitations**

- Maximum allowable hours for any individual is 300.
- Maximum weekly hours for participant at worksite is 40 hours (paid time).
- Prior to participant being placed at a worksite the participant will spend a minimum of 10 hours at the Job Center taking part in work-ready activities. Participant must complete the application process, resume process, and interview process workshops (3 hours). The remaining-7 hours of job readiness should include a combination of discussion of career exploration, networking, and career path based on participant need.
- Assigned Job Center staff will evaluate activities on a regular basis – participants not adhering to the individual employment plan may be removed from the transitional employment activity as appropriate.

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- Total slots established by budget per funding source – participants enrolled on first come/first serve basis until budget is completely encumbered.
- Transitional jobs wage is set at \$15.00.


### Participant Orientation

Missouri Job Center staff will provide appropriate orientation for Transitional Jobs Program participants which will include:

- The Workforce Innovation and Opportunity Act (WIOA) program rules and regulations.
- The purpose and characteristics of the WIOA program.
- Information on all available services, including supportive services.
- Expectations of workplace behavior (maintaining punctuality and regular attendance).
- Understanding confidentiality, appropriate behavior and sensitivity to other worksite staff (diversity, sexual harassment), drug and alcohol policies, health and safety issues, and worksite completion of forms.
- WIOA Complaint and Grievance Guide.
- Training plan: job title, job duties and responsibilities; length of training, work schedule; direct and/or indirect supervisor and their responsibilities.
- Rate of pay and frequency.
- Timesheet completion and distribution of checks.
- Counseling and monitoring visits.

### Time and Attendance Records:

- The sub-recipient’s payroll system will be utilized by participant and employer to record and approve time. Sub recipient will provide employer and participant with instructions on how to access the system.
- In the event the sub-recipient’s payroll system cannot be used, the case manager must ensure the worksite has an acceptable method of recording participant hours. The hours worked each week cannot exceed forty (40) hours. All time and attendance records must be completed in ink and does not allow for the use of “liquid paper,” “white out,” correction tape or other types of correction materials. To record changes, the entry must be struck out with a single line, and the supervisor and the participant must initial the change being entered. Changes discovered by case managers during their review will be noted and a telephone notification made to the supervisor and participant as to the change. As described in the assurances, the participant shall not be paid for lunch breaks, holidays, and absences. The participant must enter the day and month, actual date, the specific times, and the number of hours *worked that date*. *Supervisor must review the time sheet for accuracy. The time sheet must be signed and dated by the participant, worksite supervisor and approved by case managers. Payroll checks for hours worked are only to be issued from the approved time sheet.*

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**Supportive Services**

Supportive Services will be available to all West Central Region participants registered and participating in activities authorized under WIOA. Payments will be based on need and funding availability. Participants must be actively participating in the Transitional Employment Program and be unable to obtain such supportive services through other means. Supportive Services may include:

- Assistance with transportation, childcare/dependent care needs, emergency housing, and work-related tools, work attire/uniform, testing fees, legal aid services and needs-related payments.
- All supportive services will be provided in accordance with OWD Issuance 13-2017 and local policy or any subsequent local policy and DWD Issuances addressing supportive services.

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