

**WORKFORCE POLICY BULLETIN #03-20**

**DATE:** September 9, 2020

**TO:** Contracted Service Providers



**FROM:** Donna Van Wert, Executive Director  
Workforce Development Board

**SUBJECT:** Skills Upgrading/Retraining and Job Readiness Training (Non-ITA Training)

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**Purpose:**

The purpose of this policy is to provide direction for providing non-ITA trainings for Workforce Innovation and Opportunity Act (WIOA) Adults, Dislocated Workers and Out-of-School Youth ages 18-24.

**Background:**

Under the Workforce Innovation and Opportunity Act (WIOA), training services may be provided to Adults, Dislocated Workers, and Out-of-School Youth through activities such as:

- Occupational skills training, including training for nontraditional employment (300)
- On-the-job training (301)
- Incumbent worker training (308)
- Programs that combine workplace training with related instruction, which may include cooperative education programs (321)
- Private sector operated training programs (320)
- Skills upgrading and retraining (305)
- Entrepreneurial training (302)
- Job Readiness training (322)

**Policy:**

The Workforce Development Board of Contra Costa County (WDBCCC) recognizes the need to support training activities as part of a career pathway approach that may not immediately result in participants earning an industry recognized certificate.

Non-ITA trainings may be made available to eligible and appropriate participants when it has been determined that the individual will be unlikely or unable to obtain or retain employment that leads to self-sufficiency from previous employment or through career services alone.

**A. Eligibility Criteria for Training**

1. The participant is unemployed or is employed in stop-gap employment or at a wage that is below the *level of self-sufficiency*

2. A comprehensive assessment has determined the participant is in need of training services to obtain or retain employment that leads to *self-sufficiency* or wages comparable to or higher than wages from previous employment.
3. The participant possesses the skills and qualifications needed to successfully complete the desired training program.
4. The participant has demonstrated the following:
  - Commitment to completing the identified training program
  - Knowledge of the targeted demand occupations in the local area or proposed area of employment
  - Knowledge of the job requirements and working conditions of the related careers
  - Knowledge of training courses available and pertinent performance and cost information
  - The ability to meet the training provider's entrance requirements
  - The training program is consistent with the participant's Individual Employment Plan (IEP) or Individual Service Strategy (ISS)
5. The participant has been unable to secure other financial assistance to cover the full or partial costs of training
6. The participant has not had a WIOA-funded ITA in the prior 24 months. This requirement may be waived on a case-by-case basis with Management approval and proper justification.
7. For job readiness training, the activity code must be applied in conjunction with one of the following codes:
  - Occupational skills training, including training for nontraditional employment (300)
  - On-the-job training (301)
  - Incumbent worker training (308)
  - Programs that combine workplace training with related instruction, which may include cooperative education programs (321)
  - Private sector operated training programs (320)
  - Skills upgrading and retraining (305)
  - Entrepreneurial training (302)

#### B. Selection of Training Providers

WIOA service providers will assist participants to make well-informed training decisions and provide guidance in selecting a training facility and training provider/program. The selected training provider must demonstrate measurable skills gains and successful outcomes for WIOA participants.

The WDB may prohibit the referral of participants to training vendors and/or training programs that have demonstrated poor performance.

WIOA program staff is responsible for verifying that both the training provider and selected training program meet local WDB requirements.

Training must result in measurable skills gains (defined as documented academic, technical, occupational, or other forms of progress, towards such a credential or employment) and may lead to an entry-level credentials not recognized by DOL as industry recognized credentials. Documentation of measurable skills gains may include: transcripts, progress reports, test results, and other allowable documents.

### C. Funding and Duration Limit

Non-ITA trainings may be used when other no-cost training is not available or there are other conditions (location, schedule, etc.) that would make attending no-cost training unfeasible. Prior to receipt of a Non-ITA training, all other training options and funding sources for training services shall be exhausted, including Pell Grants and other grant assistance (excluding loans). WIOA program staff is responsible for documenting that the training provider and training program qualify for financial assistance, if applicable.

Training funds may be used for tuition costs, required books, fees, specialized course-specific supplies or activities and may also fund pre-requisite training if required by the approved training program.

In general, training should not extend beyond twelve (12) consecutive months. In special circumstances, a waiver for an Non-ITA of extended duration may be approved by Program Management.

Under no circumstances may training begin without the proper approvals and documentation in place. Program staff shall work with participants to ensure there is adequate lead time (two-week minimum) to develop and process the non-ITA request before the training start date. Inaccurate, incomplete or late forms or missing approvals may result in a participant not being able to start training as scheduled.

### D. Payment Limits

To ensure equitable access to participants of all backgrounds, need, and barriers, the total funding amount limit is the same as ITAs (see Workforce Policy Bulletin #01-17). Under special circumstances, a waiver to exceed the payment limit may be approved by Program Management. Exceptions may also occur when special grant funding allows for flexibility.

### E. Cancellations & Modifications

Service Provider staff is responsible for initiating cancellations and modifications and seeking the proper approvals.

A Cancellation occurs when:

- A participant does not start training
- A participant drops out of training
- A participant is approved to attend a training with a different provider than originally planned

Modifications occur when there are changes to the training dates and/or cost.

### F. CalJOBS Reporting

Service provider staff is responsible for recording participant data into CalJOBS. Program staff shall ensure that CalJOBS is kept up-to-date and contact MIS if/when an activity code needs to be voided or when other corrections to data are needed.

### G. Review and Approval Procedures

Service Providers shall develop procedures that ensure all WIOA regulations and WDBCCC policies concerning training are adhered to.

#### H. Recovery of Unused WIOA Training Monies

To ensure prompt return of any unused training monies, WIOA program staff shall track the participant's monthly progress. Refund amounts are based on the training provider's published refund policy in effect at the time the training started. Program staff shall initiate the refund process as soon as they become aware that the participant is no longer attending.

#### I. Appeals Process

Participants have the right to file an appeal if they are denied training. If they believe they have been unfairly denied access to training, they may file a complaint using the published grievance or complaint procedures outlined in the Workforce Innovation and Opportunity Act Participants Rights form.

#### **Citations & References:**

- *Use of Funds for Employment and Training Activities*, WIOA section 134(c)(3)
- *WIOA Training Services for Adults and Dislocated Workers*, Title 20 CFR 680.200 to .230
- *How WIOA Training Services are Provided*, Title 20 CFR 680.300 to .350
- *Training Accounts, Consumer Choice, Eligibility*, Title 20 CFR 680.320, 680.340, and 680.530
- *Delivering Services to Adult and Dislocated Workers under WIOA Title I*, TEGL 19-16
- *CalJOBS Activity Codes*, EDD WSD 19-06
- *Workforce Innovation and Opportunity Act Participants Rights* (form)

If you have any questions regarding this Workforce Policy Bulletin, please contact Maureen Nelson at [mnelson@ehsd.cccounty.us](mailto:mnelson@ehsd.cccounty.us) or 925-671-4542 and Jeff Shoji at [jshoji@ehsd.cccounty.us](mailto:jshoji@ehsd.cccounty.us).

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