



TRANSITIONAL JOBS

PURPOSE

The purpose of this policy is to provide guidelines to Workforce Alliance of the North Bay's (WANB) Service Providers to be used in the provision of transitional job activities, pursuant to the requirements of the Workforce Innovation and Opportunity Act (WIOA), Department of Labor Regulations (DOL), State Directives, and WANB policy.

Transitional jobs should be designed to provide a participant with time-limited work experiences to help them establish a work history, achieve success in the workplace, and develop the skills needed to obtain and retain unsubsidized employment.

The following provides information on the minimum requirements/elements for transitional jobs. Service Providers may include additional elements in their procedures, so long as they are in conformance with this policy, the WIOA, DOL Regulations, and State Directives.

SCOPE

Workforce Innovation and Opportunity Act Title I contracted Service Providers

RESPONSIBLE PARTY

Workforce Alliance of the North Bay
Regional Workforce Development Board

REFERENCES

- WIOA section 134(d)(5) and WIOA Regulations section 680.190.
- DOL TEGL 3-15, Guidance on Services Provider through the Adult and Dislocated Worker Program under WIOA.
- Code of Federal Regulations (CFR), Title 20, Section 680.195
- Fair Labor Standards Act (FLSA) of 1938. 29U.S.C. § 203
- Affordable Care Act of 2010

POLICY

- I. A transitional job is defined as a job that provides a time-limited work experience that is wage-paid and subsidized, and is in the public, private, or non-profit sectors for those individuals with barriers to employment who are chronically unemployed or have inconsistent work history.

These jobs are designed to enable an individual to establish a work history, demonstrate work success in an employee-employer relationship, and develop the skills that lead to unsubsidized employment. Transitional job activities must be combined with comprehensive career and supportive services provided prior to, or concurrently with, the transitional job activity.

Workforce Alliance of the North Bay is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities.

Transitional job expenditures may account for up to 10% of a Service Provider's combined allocation of the Adult and Dislocated Worker programs during a given program year (July 1 – June 30), and includes only wages and fringe for the individual participating in a transitional job activity.

A. PARTICIPANT ELIGIBILITY REQUIREMENTS

In addition to meeting general eligibility requirements for the WIOA program and being unemployed at the date of application to the WIOA program, the participant must also have: (1) one or more barriers to employment; and (2) be chronically unemployed or have an inconsistent work history. These eligibility requirements must be documented in the participant file.

1. Barriers to Employment - For the purpose of participant eligibility for transitional job activities, barriers to employment include one or more of the following:
 - a) Low-income individuals
 - b) Individuals with disabilities (maintained confidential and filed separately)
 - c) Ex-Offenders
 - d) Homeless individuals
 - e) English Language Learners
 - f) Displaced Homemaker
 - g) Secondary School Dropout
 - h) Basic Skills Deficient
2. Chronically Unemployed or Inconsistent Work History – For the purpose of participant eligibility for transitional job activities, individuals are considered to be chronically unemployed or to have an inconsistent work history when they meet one or more of the following criteria:
 - a) Has never held a full-time job (30+ hours per week) for more than 13 consecutive weeks
 - b) Has been fired from a job within the 12 months prior to application
 - c) Has held more than three jobs in the 52 weeks prior to application
 - d) Is on parole or probation, or has been released from prison/jail within the 12 months prior to application
 - e) Has been unemployed for the 13 consecutive weeks prior to application
 - f) Has been unemployed for 15 or more of the 26 weeks prior to application
3. Service Providers shall attempt to obtain documentary evidence or utilize a collateral contact to document the met requirements and may only utilize an applicant statement when attempts to collect documentary evidence or a collateral contact were unsuccessful or are not practicable within a reasonable period of time.
4. Typically, one would not assume that a dislocated worker would be eligible for transitional job activities with respect to being chronically unemployed or have an inconsistent work history. Displaced homemakers and spouses of members of the Armed Force on active duty may, however, have a need for this service. While other categories of dislocated workers may meet the eligibility requirements and receive



such services, it is anticipated that most individuals who participate in transitional job activities will be enrolled in the WIOA Adult program. Service Provider staff should take extra care during the assessment and Individual Employment Plan (IEP) development process to ensure that the rationale for participating in transitional job activities as a participant of the WIOA Dislocated Worker program is clearly outlined in the IEP and case notes.

B. EMPLOYER REQUIREMENTS

1. Employers willing to work with participants in transitional job activities may be from the private for-profit sector, the private non-profit sector, or the public sector. As transitional jobs are structured to help participants achieve success in the workplace and develop the skills needed to obtain and retain unsubsidized employment, the employer must be able to provide supervision and appropriate feedback to the participant at regular intervals during the course of the activity.
2. Employers must also be willing to participate in the required monthly on-site monitoring visits conducted by Service Provider staff to evaluate the participant's performance.
3. There is no expectation that the employer will retain the participant at the completion of the transitional job. However, if the employer is interested in hiring the participant after the transitional job activity has been completed, and additional training is needed, an On-The-Job Training (OJT) may be developed.

C. PROVISION OF TRANSITIONAL JOB SERVICES

1. Participants who are unemployed at the point of application, have a qualifying barrier to employment, and who are chronically unemployed or have an inconsistent work history may participate in transitional job activities.
2. All eligible participants must first undergo an appropriate assessment and develop, with the assistance of a Service Provider staff member, an IEP that includes the rationale for a transitional job.
3. The transitional job must be accompanied by comprehensive career and supportive services delivered prior to, or concurrently with, the transitional job. Supportive service needs shall be determined during the assessment process, and the identified supportive service needs and how they will be delivered shall be outlined in the IEP.
4. The appropriate mix of career services shall also be outlined in the IEP and must include, at a minimum, at least one of the following individualized career services:
 - a) Career Planning
 - b) Group and/or Individual Counseling
 - c) Short-term Prevocational Services (including soft skills training)
 - d) Workforce Preparation Activities
 - e) Financial Literacy Services
 - f) Out-of-Area Job Search Assistance and Relocation Assistance
 - g) English language acquisition and integrated education and training programs
5. Individualized career services may also be delivered upon completion of the transitional job activity, as long as one or more of the above are delivered prior to or during the transitional job.



6. Eligible participants may work up to a maximum of 520 hours of transitional job activities, delivered over a maximum period of 26 weeks, and no more than 29 hours per week. The participant may be placed with more than one employer during the transitional job activity, but the total number of hours for all worksites may not exceed 520 hours or 26 weeks, whichever comes first.

Transitional jobs shall be developed, to the extent practicable, with an employer in an industry that is of interest to the participant. It is anticipated that most transitional jobs will be entry-level positions, and the participant shall be paid minimum or prevailing wage, whichever is greater.

D. WORKSITE AGREEMENT

WANB requires a written, signed agreement between a Service Provider representative and a qualified employer prior to the start of work. These worksite agreements will be similar to those used for work experience and other work-based learning activities where the participant is being paid and the employer providing the supervision for the participant is not the employer of record.

As the employer of record during the transitional job subsidized employment, Service Providers are legally responsible to ensure they are in conformance with all Labor Regulations, including the Fair Labor Standards Act (FLSA) and the Affordable Care Act of 2010.

E. MONITORING

1. WANB Service Providers shall monitor on-site at least once each calendar month during the transitional job period. All monitoring results must be documented in the participant's file and retained by the Service Provider.
2. This on-site monitoring shall include not only an evaluation of soft skills, but an evaluation of occupational skills listed in the job description/training plan that is incorporated into the Worksite Agreement.
3. WANB will monitor Service Providers for compliance with this Transitional Jobs policy as part of the regularly scheduled program and fiscal monitoring, as appropriate.

F. PROHIBITIONS

1. Agreements shall not be entered into with employers of a business or part of a business that has relocated from any location in the United States, until such company has operated at the new location for 120 days, if the relocation resulted in any employee losing her/his job at the original location.
2. Participants may not be employed in a transitional job involving political activities.
3. Participants may not be employed in a transitional job that directly or indirectly assists, promotes or deters union organizing.
4. Participants may not be employed in a transitional job involving the construction, operations, or maintenance of that part of a facility which is used for religious instruction or worship (sectarian activities).

G. POLICY EXCEPTIONS

1. Service Providers may only make exceptions to this policy with prior written authorization from the WANB Executive Director.



POLICY UPDATE HISTORY

December 12, 2019 – New Policy

INQUIRIES

Questions regarding this policy can be sent to Operations Unit.

