



ANNE ARUNDEL  
WORKFORCE DEVELOPMENT  
CORPORATION

Policy Memorandum 2019-06

**Work-and-Learn Training Services Policy – Effective April 1, 2019**

**INTENDED AUDIENCE:** AAWDC staff who are involved in the management and approval of on-the-job training, internships, and work experiences for eligible participants of AAWDC initiatives.

**SUBJECT:** Providing Work Experience to Participants in Workforce Development Initiatives Operated by AAWDC and the Local Workforce Development Board

**EXPIRATION:** N/A

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**CANCELLATIONS**

This policy supersedes and replaces any local conventions in effect by AAWDC initiatives or administrative offices.


**STANDARD OPERATING PROCEDURES**

Work-and-Learn Training Approval  
On-The-Job Training (OJT) Reimbursement Process  
Work-and-Learn Participant Payment Process

**FORMS**

On-the-Job Training (OJT) Contract  
Work-and-Learn (WAL) Contract  
Individual Training Plan (ITP)  
Payment Agreement Form  
Work-and-Learn Participation Time Log

Approvals

 President and CEO, AAWDC

## ***General Information***

The Anne Arundel County Local Workforce Development Board oversees the workforce development system in Anne Arundel County. As such, the Board has implemented a client-centric approach in providing service to participants. The approach involves meeting participants where they are to start, advance, or transition in a career path, addressing their barriers to employment and ensure that they essential workplace skills and industry certifications to meet their full career potential. The Board's vision is to ensure that Anne Arundel County businesses have a pipeline of skilled workers and that County residents have the skills needed and to reach their full career potential. To carry out this vision, the Board has adopted a demand driven strategy that focuses on the following elements:

- *Engaging Businesses*: collaboration with businesses to determine local and regional hiring needs, design innovative initiatives and trainings that are responsive to those needs, and get candidates on a career path.
- *Work-and-Learn Training*: working with businesses to offer a variety of hands-on, work-based learning opportunities that create a pipeline of candidates with the experience and skills businesses require.
- *Smart Choices*: analysis of local and regional labor market data to drive in-demand services to businesses and candidates.
- *Measuring Matters*: continuous evaluation of trainings, employment and earnings outcomes to ensure excellent services and positive economic impact.
- *Career Progressions*: collaboration with businesses and partners to design and deliver pathways that prepare candidates to reach their full career potential.
- *Opening Doors*: determination and addressing systemic barriers to employment.
- *Regional Partnerships*: leading in bring together partners to develop a strong regional economy.

The Board believes that focusing on these elements will allow the workforce development system in Anne Arundel County to have a positive economic impact on the local and regional economy.

Work-and-Learn Training, as identified in the Local Plan, encompasses several different training modalities, all of which involve businesses and participants engaging enhancing skills and accessing permanent employment, closing the skills gap for new hires. Modalities which fall under the umbrella of Work-and-Learn Training include:

- *On-The-Job Training (OJT)* – Training provided by a business that is provided to a participant who is a permanent employee and is engaged in productive work. The training must fill a gap in the participant's skills that provides knowledge or skills essential to the full and adequate performance of the job. In an OJT opportunity, the participant and the business have an employer-employee relationship and the goal of an OJT is permanent, unsubsidized employment at a family-sustaining wage.
- *Work Experience (WEX)* – WEX opportunities are provided to qualified adult and dislocated workers. A WEX is a planned, structured, time-limited learning experience that takes place in a workplace. WEX participants may receive a stipend as funding and grant agreements allow. A WEX is differentiated from an OJT opportunity, both by the relationship between the participant and the business, and by the end goal of the WEX opportunity being the gaining of meaningful experience that will make a participant more marketable.
- *Internships* – Internships are WEX opportunities that are provided to qualified youth participants. AAWDC has chosen to use the terminology internship for youth WEX opportunities as such opportunities have the additional requirement of including an academic component.
- *Registered Apprenticeship* – Apprenticeships combine paid on-the-job training with classroom instruction that prepare participants for high-skilled careers. AAWDC may assist participants in an apprenticeship in several ways: through supportive service assistance (such as purchasing tools or specialized equipment), through Individual Training Accounts (ITAs) for the classroom instruction portion of the apprenticeship, or through an OJT or WEX opportunity.

## ***Participant Eligibility Requirements***

AAWDC utilizes the standards enumerated in the U.S. Department of Labor's Training and Employment Guidance Letter (TEGL) 19-16 that a participant must meet to access training services. Although these requirements are written for standard occupational training, all trainings conducted under workforce development grants must adhere to these guidelines. As such, AAWDC has modified the guidelines to fit within the structure and unique requirements of a work experiential training.

1. The participant must be determined as unlikely or unable to obtain/retain employment through career services alone and must be determined that training in an experiential setting would be beneficial to obtaining such employment
2. The training should be in an area of need in the region or the employer/industry. Need may be demonstrated through identification of the occupation or industry in the array of high-growth industries and occupations in the local area or through coordination with an employer who can show a need for the occupation within the employer's business. Those industries are:
  - Hospitality, Retail & Tourism
  - Information Technology & Professional Services, Scientific and other technical Services
  - Transportation, Logistics & Warehousing
  - Construction, Trades & Manufacturing
  - Healthcare & Social Assistance
3. The participant must be able to obtain the necessary skills or qualifications during the training experience.
4. As work experience and OJT opportunities are not generally funded through other sources of grant assistance, there is no need to coordinate funds or to determine whether other sources of federal funding such as Pell grants are available. However, any applicable service priority requirements of the relevant grant or funding source must be met.

### ***Business Eligibility Requirements***

Work experiential training opportunities demand heavy involvement on the part of businesses who agree to provide training for qualified participants. This places certain expectations and burdens on the business. By agreeing to host participants in a WAL experience or hiring a participant through an OJT opportunity, a business becomes a training provider and must meet certain criteria to host participants through work experiential training opportunities. In general, AAWDC will not provide training opportunities to businesses who have previously demonstrated a pattern of failing to provide long-term employment or substantive employment opportunities to participants.

Specifically, businesses must meet the following standards:

1. Businesses must legally operate in Anne Arundel County (or the jurisdiction in which the business operates, if applicable) for at least four months, be in good standing with the State of Maryland and cannot be debarred by the federal government.
2. Participants must be trained in occupations that pay a family-sustaining wage or in occupations which provide a career pathway to a family-sustaining wage.
3. Training funds provided to businesses cannot (directly or indirectly) assist, promote, or deter union organizing.
4. Training opportunities provided by a business cannot displace (in whole or in part) any current employees, including employees who have been laid-off by a business, and cannot infringe upon the promotional opportunities of current employees.
5. In offering work-and-learn opportunities, businesses cannot impair any service contract or collective bargaining agreement without the written permission of the labor organization.

### ***Contract Requirements***

In accordance with Appendix II to Part 200, all contracts must conform to the following requirements:

1. Contracts may not exceed \$10,000 and may only cover hours worked by the participant, unless otherwise approved by compliance or procurement/contracting staff member.
2. Contracts must require that employers comply with the anti-discrimination provisions of 41 CFR Part 60, the Workforce Innovation and Opportunity Act Section 188, and any additional state and local anti-discrimination legislation.
3. Contracts must require businesses to maintain the same health and safety standards for participants as the business does for employees.

### ***On-The-Job Training Guidelines***

OJT opportunities are arranged with qualified businesses that have open full-time positions, willing to hire jobseekers with minimal skills gaps and is distinguished from other types of workplace training, including customized training, in several ways:

- Participants must be employed by the business and earn wages during training (i.e., the participant will receive a W-2 for tax purposes);
- Individualized training plans (ITPs) are created to identify the skills gap and the activities the new hire will be engaged in to successfully fill the gap;
- Training is conducted in the workplace under the direction of one or more of the employer's supervisory personnel; and
- AAWDC reimburses the employer a percentage of the individual's wages during training. Reimbursement of wages should be based upon a reasonable judgment of the extraordinary costs of providing the training and additional supervision necessary for the successful completion of on-the-job training. The U.S. Department of Labor caps reimbursable wages at the average hourly wage rates provided by the Bureau of Labor Statistics in the Quarterly Census of Employment and Wages. AAWDC will publish this annually via internal memorandum.

AAWDC will reimburse businesses a percentage of the employee's hourly wage, as follows:

- Up to 75% for a business with 50 or fewer employees;
- Up to 66% for a business with 51-200 employees; or
- Up to 50% for a business with more than 200 employees.

Hourly Wage Paid to Employee	Hourly Amount Reimbursed to Business (based on 50% reimbursement of up to \$25.75/hour)	Hourly Amount Reimbursed to Business (based on 66% reimbursement of up to \$25.75/hour)	Hourly Amount Reimbursed to Business (based on 75% reimbursement of up to \$25.75/hour)
\$20.00	\$10.00	\$13.20	\$15.00
\$25.00	\$12.50	\$16.50	\$18.75
\$30.00	\$12.88	\$17.00	\$23.18

If there is a different negotiated reimbursement rate with a grantor, then that rate will apply. Participant will only be placed in opportunities that are full-time, permanent positions (minimum of 30 hours per week). AAWDC will only reimburse actual working time up to 40 hours per week. All overtime, holidays or other time off are not eligible for reimbursement.

### ***Internships and Work Experience Guidelines***

AAWDC also offers internships and work experience opportunities for those participants who qualify. Such training is designed to provide participants with hands-on training on the work site on a short-term or contract basis. Internships and work experiences provide a supervised work experience in a participant's career field where he/she has intentional learning goals and reflects actively on what is learned throughout the experience. These learning goals can include: academic learning, career development, and/or skills development. Unlike OJT opportunities, participants are not employees and do not have a guarantee of employment at the end of the opportunity.

These opportunities are generally structured like OJTs with the following exceptions:

- Participants may be paid a stipend by AAWDC for the duration of the engagement; and
- Because participants are not employees and are not paid wages, they are not entitled to benefits or pay equivalent to similarly-situated employees of the business.

### ***Performance Accountability***

The Fiscal Office requires all initiatives to utilize the following standard operating procedures:

- Internships and work experiences must follow the Work-and-Learn Participant Payment Process.

- On-the-Job Training contracts will follow the On-The-Job Training (OJT) Reimbursement Process.

The Office of Performance and Compliance at AAWDC has established the following standards for performance accountability:

- The use of the Maryland Workforce Exchange (MWE) Application and the forms listed in this Memorandum will provide all information necessary to determine eligibility.
- The maintenance of adequate documentation to ensure accuracy of eligibility and priority determination shall (at a minimum) include the above-mentioned forms, plus copies of documentation used to determine and verify completion of training.
- All signatures and dates must be in ink.
- All data related to training must be entered the MWE within fourteen (14) days of service dates.

### ***Reporting and Monitoring***

The Office of Performance and Compliance will utilize the reporting capabilities of the MWE to monitor training eligibility and, at its discretion, reserves the right to conduct on-site monitoring of participant files and program elements to verify compliance with the conditions of the relevant grant or funding source and the policies and procedures described herein.

Case management staff must monitor all work-and-learn contracts. Case management staff should monitor commensurate with the goals of the ITP. In other words, the level of monitoring effort will depend upon the length and complexity of the training plan. At a minimum, case management staff must adhere to the case management standards applicable to their initiatives.