



ÁREA LOCAL
DE DESARROLLO LABORAL
GUAYNABO / TOA BAJA

Workforce Innovation and Opportunity Act (WIOA)

CUSTOMIZED TRAINING ACTIVITY PUBLIC POLICY

POLICY NUMBER: WIOA 2021 - 004

EFFECTIVE DATE: OCTOBER 1, 2021

PURPOSE

The customized training activity (CTA) is one of the modalities provided in the Regulation under the concept of Work-Based Training (WBT), which also includes On-the-Job Training (OJT) and Incumbent Worker Training (IWT).

This work-based training modality is designed to satisfy the needs of an employer or group of employers with the commitment from the employer to hire the participant once s/he completes the training successfully. It is an efficient strategy that provides opportunity for the participants and employers searching for quality work such as the development of quality labor.

LEGAL BASE

- Section 3 (14) and 134(c)(3) of the Workforce Innovation and Opportunity Act (WIOA)
- TEGL 19-16: "Guidance on Services provided through the Adult and Dislocated Worker Programs under the Workforce Innovation and Opportunity Act (WIOA) and the Wagner- Peysen Act Employment Service (ES), as amended by Title III of WIOA, and for implementation of the WIOA Final Rules." (March 1, 2017)
- Final regulation 20 CFR 680.770, 680.760, 680.210, 680.320

DESCRIPTION AND SCOPE OF THE ACTIVITY

ARTICLE I: Customized Training (CTA) is a training activity, which includes three (3) essential criteria:

- A. It is designed to meet the specific requirements of an employer or group of employers,

- B. It is developed with the commitment of the employer or group of employers to hire the people who successfully complete the training and,
- C. For which the employer or group of employers will pay:
 - 1. A significant part of the training cost as determined by the Local Board taking into consideration the size of the company or other factors as determined by the Local Board as appropriate, as specified in Section 3(14) (c)(i) of WIOA, and
 - 2. When the customized training (CTA) is developed with an employer located in multiple local areas within a state, the significant part of the training cost will be determined by the Governor, taking into consideration the size of the company or other appropriate factors according to the Governor.

ARTICLE II: Since the Customized Training (CTA) is targeted to the private sector, the training service activities described by WIOA for adults and dislocated workers in Section 134 (d), may be appropriate customized training modalities, as necessary, according to the needs of the employer and Local Area public policies. For this reason, the Customized Training may include two (2) types of modalities:

- 1. Customized training under the modality of On-the-job Training and Classroom Training, in which the percentages of salary will be reimbursed, according to the reimbursement policy established for each occupation and the expenses of the classroom training phase, including the instructor, as long as the instructor is not the actual employer.
- 2. Customized training under the Institutional Training modality. Under this modality, the expenses for a classroom training by an accredited institution and hired to teach the training program in demand in the Local Area will be covered. This modality will require a training contract, which will include the employer, the institution, and the Local Area, to establish its terms and conditions.

ARTICLE III: The Customized Training (CTA) may be offered to eligible persons employed by an employer or group of employers.

PARTICIPANT ELIGIBILITY

The Customized Training (CTA) may be available for **adults and dislocated workers** who:

- 1. After an interview, evaluation, and career planning, the Case Manager has

determined the individual:

- Is not very likely or cannot receive and maintain a job leading to economic self-sufficiency or comparable salaries or higher salaries than the ones from a previous job.
- Needs training services to obtain or maintain a job leading to economic self-sufficiency or comparable salary or higher salary than the one from a previous job.
- Has the ability and qualifications to successfully participate in the training services.

Customized Training is also available for **incumbent workers** if they are determined to be an under-employed adult (see under-employed policy) and that the customized training (CTA) is also related to the introduction of new technology, new production procedures or services, occupational improvement for new jobs requiring additional skills with literacy in the place of employment and other relevant purposes, as identified by the Local Board.

ARTICLE IV: TRAINING REQUIREMENTS

1. The appropriate duration of the CTA must be limited to the necessary time for the participant to become competent in the occupation in which he or she is receiving training. The requirements of the occupational skills, the levels of academic an occupational skills of the participant, previous experience and the individual employment plan will be taken into consideration.
2. Using the ONET Specific Vocational Preparation (SVP) levels is recommended to determine the adequate occupational duration necessary. By using the SVP provided by ONET, the following duration times are recommended:

LEVEL	DURATION
Level 1	< 1 month
Level 2	1 month
Level 3	<1 month - 3 months
Level 4	>3 months - 6 months
Level 5-9	>6 months

3. The training must lead to regular full-time employment (minimum of 30 hours a week).
4. The employers who participate in the CTA must pay a significant cost of the training. The employer's contribution will depend on the size of the company or business:
 - a) For employers with 50 employees or less, a minimum of 10% of the training cost.
 - b) For employers with 51 to 100 employees, a minimum of 25% of the training cost.
 - c) For employers with 101 employees or more, a minimum of 50% of the training cost.
5. CTA funds cannot be used to cover salary expenses of incumbent workers while they participate in the training, they can only be used to cover the cost of providing the training, including the salary of the resource.
6. The employer must provide a progress report for the participant and assistance to the WDLA staff before the tenth workday of each month.

ALLOWABLE AND NOT ALLOWABLE COSTS FOR CUSTOMIZED TRAINING

The allowable costs must be directly related with the training. Examples of allowable costs include, but are not limited to:

- Instructor's salary
- Curriculum development
- Textbooks, manuals, learning materials
- Exam cost
- Certification Costs
- Other necessary and reasonable costs directly related to the training, as determined by the Local Board or its Executive Director

Not allowable costs include, among others:

- Employee /intern salaries and supplemental benefits
- Costs that are not directly related with the training
- Travel, food, lodging
- Consultant compensation or fees not directly related to the training.
- Costs incurred before the application and contract approval date.
- Membership fees

ARTICLE V: APPLICABLE PROVISIONS FOR CUSTOMIZED TRAINING ACTIVITY (CTA)

1. Priority will be given to more in demand occupations and industrial groups requiring more skills, abilities, which provide more sustainable salaries.
2. This training activity will not displace any company employee or alter a promotion opportunity for the current workers or reduce their hours [20 CFR 683.270].
3. A CTA agreement will not be formalized with an employer who has fired a regular employee, or has reduced the workforce to hire employees under this agreement.
4. The employer must not have workers currently at risk of being laid off, or be involved in a work dispute [20 CFR 680.840].
5. The CTA agreement must not undermine the existing service contracts or collective negotiation agreements [20 CFR 680.830].
6. CTA funds will not be awarded to employers who have relocated their operations and who, as a consequence of such relocation, has laid off employees, until the company has operated at the new location for one hundred and twenty (120) days [20 CFR 683.270].
7. The employer will meet the WIOA non-discrimination provisions and equal opportunity laws and regulations.
8. Employers must agree to cooperate with the monitoring efforts, as required by WIOA, comply with all other applicable local, state, and federal rules and regulations, and respond to the requests of the Local Board personnel to collect information about salaries and participant retention.
9. The CTA participants will receive the same work benefits and conditions as a current employee of the company with similar roles to those of the participant (20 CFR 683.275).
10. No CTA contract will be granted to companies that have not shown program participant retention results in previous contracts or that exhibit a pattern of non-compliance in providing the participants with long-term employment as regular employees with salaries, benefits and work conditions at the same level as other employees who work for a similar period of time doing the same type of work.

VALIDITY

This public policy will be effective immediately after its approval.

In Cataño, Puerto Rico, today, September 29, 2021.



Mr. Oriel Ramírez Rodríguez
President
Workforce Development Local Board