



**POLICY
NUMBER
100**

Administrative Policy

Title:	Work-Based Learning and Work-Based Training for Adults and Dislocated Workers		
Program:	Workforce Innovation and Opportunity Act		
Effective:	06/11/2019	Revised:	06/03/2022

I. PURPOSE AND SCOPE

The purpose of this policy is to provide Local Workforce Development Boards (LWDBs) with the requirements for implementing work-based learning programs, which include work-based training programs.

II. BACKGROUND

The Workforce Innovation and Opportunity Act (WIOA) brings together in strategic coordination the core programs of the federal investment in skill development to support training and work experience for job seekers through work-based learning. LWDBs may use work-based learning as an effective service strategy to assist job seekers in entering and advancing along a career pathway and to allow employers to train their employees while they continue to be productive members of the workforce.

Work-based learning activities include on-the-job training, customized training, incumbent worker training, registered apprenticeships, pre-apprenticeships, transitional jobs, work experience, and internships. Of these work-based learning activities, on-the-job training, customized training, incumbent worker training, and apprenticeships are also considered work-based training. Work-based training is employer-driven and presents an opportunity for LWDBs to increase employer engagement, implement sector strategies, and encourage industry partnerships.

III. AUTHORITY

[WIOA, Public Law 113-128](#), Sections 3, 122, 134

20 Code of Federal Regulations (CFR) Parts [680.180 – 680.195](#); [680.700 - 680.840](#); [681.480](#); [681.600](#); [682.210\(b\)](#); [682.320\(b\)\(4\)](#)

[29 CFR Part 29](#)

[Training and Employment Guidance Letter \(TEGL\) 19-16](#), *Guidance on Services provided through the Adult and Dislocated Worker Programs under the Workforce Innovation and Opportunity Act (WIOA) and the Wagner-Peyser Act Employment Service (ES), as amended by title III of WIOA, and for Implementation of the WIOA Final Rules*

[TEGL 13-16](#), *Guidance on Registered Apprenticeship Provisions and Opportunities in the Workforce Innovation and Opportunity Act (WIOA)*

[Sections 446.011](#) and [446.092](#), Florida Statutes (F.S.)

[Rule 6A-23.010](#), Florida Administrative Code (F.A.C.)

IV. POLICIES AND PROCEDURES

A. Work-Based Learning

Work-based learning provides participants an opportunity to engage in work experiences where they develop employability skills, acquire job-specific knowledge, and gain work experience in an area that helps prepare them for self-sufficient employment.

The following work-based learning activities are considered individualized career services under WIOA: work experience and internships, transitional jobs, and pre-apprenticeship programs. These work-based learning activities are explained below. To participate in these work-based learning activities, individuals must be determined eligible for the WIOA Adult or Dislocated Worker program.

1. Work Experience and Internships

Work experience and internships are planned and structured learning experiences that take place in a workplace for a limited period. Work experience and internships may be paid or unpaid, as appropriate, and consistent with other laws, such as the Fair Labor Standards Act. A work experience or internship may be arranged with public, private, or non-profit employers. Labor standards apply in any work experience setting where an employee-employer relationship exists, as defined by the Fair Labor Standards Act.

Work experience and internships are most appropriate for individuals with limited to no work history, dislocated workers who need exposure to new industries/occupations, unemployed or underemployed workers, and long-term unemployed individuals .

Work experience and internships must be recorded in Employ Florida using either service code 218 (Internships) or 219 (Work Experience), as appropriate, and include the required documentation/case note that aligns with the requirements prescribed in the [Employ Florida Service Code Guide](#).

2. Transitional Jobs

Transitional jobs are subsidized and time-limited paid work experiences. Transitional jobs may be arranged with public, private, or non-profit employers for individuals with barriers to employment who are chronically unemployed or have inconsistent work histories, as determined by the LWDB. Transitional jobs are designed to enable individuals to establish work histories, demonstrate success in the workplace, and develop skills that lead to unsubsidized employment. Transitional jobs take place within the context of an employee-employer relationship in which the program provider generally acts as the employer. There is no requirement that the employer retains the participant upon completion of the transitional job; however, job retention is an ideal outcome, where appropriate.¹

LWDBs must combine transitional jobs with comprehensive career services and supportive services. Also, LWDBs are encouraged to provide transitional job participants with job readiness training in combination with the transitional job.

LWDBs may reimburse up to 100% of participants' wages. LWDBs may use up to 10 percent of their combined Adult and Dislocated Worker program funds for transitional jobs. LWDBs that offer transitional jobs must identify appropriate employers.

In addition to adults and dislocated workers with barriers to employment who are chronically unemployed or have an inconsistent work history, LWDBs are encouraged to focus on individuals who are long-term unemployed, ex-offenders, and current or former recipients of Temporary Assistance for Needy Families or Supplemental Nutrition Assistance Program benefits.

Transitional jobs must be recorded in Employ Florida using service code 306 (Transitional Jobs) and include the required documentation/case note that aligns with the requirements prescribed in the [Employ Florida Service Code Guide](#).

¹ https://ion.workforcegps.org/resources/2017/03/19/19/26/Transitional_Jobs_-_WIOA_Desk_Reference

3. Pre-Apprenticeship Programs

Pre-apprenticeship programs provide instruction and/or training to increase math, literacy, and other vocational and pre-vocational skills needed to enter a registered apprenticeship program. A pre-apprenticeship program must include:

- (a) Registration with the Florida Department of Education in compliance with [Rule 6A-23.010](#), F.A.C.
- (b) Training and curriculum that aligns with the occupational skill needs outlined in the standards of the partnering registered apprenticeship program.
- (c) Access to educational and career counseling, and other supportive services.
- (d) Hands-on, meaningful learning activities that are connected to education and training activities, such as exploring career options and exploring how skills acquired through coursework can be applied to a future career.
- (e) Opportunities to attain at least one industry-recognized credential.
- (f) A partnership with one or more registered apprenticeship programs that assist in placing individuals who complete the pre-apprenticeship into a registered apprenticeship program.

Registered pre-apprenticeship program providers that offer occupational skills training do not have the same automatic eligible training provider status under WIOA as registered apprenticeship programs. LWDBs must ensure these programs go through the same selection process and performance reporting requirements as all other training providers to comply with [Administrative Policy 090 - WIOA Eligible Training Provider List](#).

Registered pre-apprenticeship programs are most appropriate for individuals with barriers to employment who are identified as needing certain skills or credentials to successfully enter and complete a registered apprenticeship program. Registered pre-apprenticeships are also appropriate for dislocated workers transitioning to new industries or occupations in need of new skills, and other eligible individuals identified by case managers as likely to succeed and who have an interest in preparing for registered apprenticeship programs.

Registered pre-apprenticeship programs should be recorded in Employ Florida according to the specific activities offered by the pre-apprenticeship program. When a pre-apprenticeship program offers activities that are considered career services (e.g., pre-vocational), the appropriate individualized career service, service code 215 (Pre-Vocational-Adult), should be recorded in Employ Florida. When a pre-apprenticeship program is included on the local Eligible Training Provider List (ETPL) and an Individual Training Account (ITA) has been issued, the appropriate training service for occupational skills training, service code 300 (Occupational Skills Training – Approved Provider ITA), should be recorded in Employ Florida. The appropriate service code must be recorded in Employ Florida and include the

required documentation/case note that aligns with the requirements prescribed in the [Employ Florida Service Code Guide](#).

B. Work-Based Training

Work-based training provides participants with the opportunity to attain the skills and qualifications needed to gain employment in a particular industry or occupation. The following work-based learning activities are referred to as work-based training and are considered training services under WIOA: on-the-job training, customized training, incumbent worker training, and registered apprenticeships. Training services, as listed in 20 CFR 680.200, can be critical to the employment success of many adults and dislocated workers. LWDBs may determine training services are appropriate, regardless of whether an individual has first received basic or individualized career services. Training services, when determined appropriate, must be delivered through an ITA or through a contract. As work-based training meets one of the training exceptions described in 20 CFR 680.320(a)(1), LWDBs may use contracts for these training services instead of an ITA. Additionally, on-the-job training, customized training, and incumbent worker training are not subject to the requirements applicable to entities listed on the local ETPL.

Except for incumbent worker training, to participate in work-based training, individuals must be determined eligible for the WIOA Adult or Dislocated Worker program.

For participants, the goal is unsubsidized employment after their participation; therefore, work-based training generally involves a commitment by an employer or group of employers to retain or fully employ successful participants after they have completed the program.

1. On-the-Job Training

On-the-job training (OJT) is conducted by an employer and is provided to a paid participant while engaged in productive work in a job that:

- (a) Provides the opportunity for participants to gain the knowledge or skills essential to the full and adequate performance of the job.
- (b) Is made available through a program that provides reimbursement to the employer of up to 50 percent of the wage rate of the participant. LWDBs may increase the wage reimbursement level from up to 50 percent, to up to 75 percent for the extraordinary costs of providing the training and additional supervision related to the training, in accordance with local policy/operating procedures.
- (c) Is limited in duration, specific to the occupation for which the participant is being trained, taking into consideration the content of the training, the prior work experience of the participant, and the service strategy of the participant, as appropriate. "Limited in duration" refers to the time required for a participant

to become proficient in the occupation for which the training is being provided. LWDBs should use information provided through O*Net, including [Job Zones](#) and [Specific Vocational Preparation](#) ranges.

OJT is primarily designed for an employer to first hire the participant and provide training that imparts the knowledge and skills necessary for the participant's full performance of the job. Individuals hired as OJT participants are employees of the OJT employer.

OJT must be recorded in Employ Florida using service code 301 (On-The-Job Training) and include the required documentation/case note that aligns with the requirements prescribed in the [Employ Florida Service Code Guide](#).

Please refer to [Administrative Policy 009, On-the-Job Training](#) for specific details and requirements about the use and operation of OJT.

2. Customized Training

Customized training is:

- (a) Designed to meet the specific requirements of an employer (or group of employers).
- (b) Conducted with the commitment by the employer(s) to hire/retain individuals who successfully complete the training.
- (c) Training for which the employer pays for a significant portion of the cost of training, as determined by the LWDB.

Customized training is most appropriate for adults and dislocated workers with barriers to employment who need industry or occupational skills, unemployed individuals (including long-term unemployed), underemployed workers, and employed workers.

Customized training must be recorded in Employ Florida using service code 304 (Customized Training) and include the required documentation/case note that aligns with the requirements prescribed in the [Employ Florida Service Code Guide](#).

a. Specific Requirements of an Employer

LWDBs are provided flexibility to ensure customized training meets the unique needs of job seeker(s) and employer(s). Generally, customized training is:

- (1) For training newly or recently hired employees and not for retraining existing employees (as incumbent worker training is typically seen as the best option when being used as a layoff aversion strategy)².

² However, there may be instances where customized training is appropriate in that circumstance.

- (2) Classroom based.
- (3) Provided by a third party for the employer.

b. Significant Portion of the Cost of Training

LWDBs must define “a significant portion of the cost of training” in their local operating procedures, factoring in the size of the employer and other considerations the LWDB determines are appropriate, such as:

- (1) The number of employees participating in training.
- (2) Wage and benefit levels of those employees (at present and anticipated upon completion of the training).
- (3) Relation of the training to the competitiveness of a participant.
- (4) Other employer-provided training and advancement opportunities.

c. Employed Workers

Customized training of an eligible employed individual may be provided for an employer or group of employers when:

- (1) The employee is not earning a self-sufficient wage or wages comparable to or higher than wages from previous employment, as determined by the LWDB.
- (2) The requirements in Section IV.B.2. of this policy are met.
- (3) The customized training relates to introducing new technologies, production or service procedures, upgrading to new jobs that require additional skills, workplace literacy, or other appropriate purposes identified by the LWDB.

3. Incumbent Worker Training

Incumbent worker training (IWT) is designed to meet the needs of an employer or group of employers to retain a skilled workforce or avert layoffs by helping the workers/employees obtain the skills necessary to retain employment.

LWDBs may use up to 20 percent of their combined total of adult and dislocated worker allocation for IWT³.

a. Employer Eligibility

Employers must meet local eligibility criteria to receive IWT funds. LWDBs must develop local operating procedures to determine an employer’s eligibility for participating in IWT based on the following factors:

³ LWDBs may not use IWT funds for administrative activities and costs such as office supplies.

- (1) The characteristics of the individuals in the program (e.g., individuals with barriers to employment).
- (2) Whether the training improves the labor market competitiveness of the employees and the employer.
- (3) Other factors such as:
 - (a) the number of employees participating in the training;
 - (b) wage and benefit levels of those employees (both pre- and post-training earnings);
 - (c) the availability of other employer-provided training and advancement opportunities;
 - (d) credentials and skills gained as a result of the training;
 - (e) layoffs averted as a result of the training;
 - (f) utilization as part of a larger sector and/or career pathway strategy; and/or
 - (g) employer size.

Generally, IWT should be provided to private sector employers; however, there may be instances where non-profit and local government entities may be the recipients of IWT funds. For example, IWT may be used in the health care industry where hospitals are operated by non-profit or local government entities and a nursing upskilling opportunity is available.

LWDBs must work with employers to identify skills gaps of their workers and develop a strategy to effectively engage the workers in training that will provide the knowledge and skills needed to increase the competitiveness of the employee(s) and/or the employer(s).

b. Individual Eligibility

For an employer to receive IWT funds, LWDBs must ensure the individuals receiving training:

- (1) Are employed⁴.
- (2) Meet the Fair Labor Standards Act requirements for an employer-employee relationship.
- (3) Have an established employment history with the employer for six months or more (which may include time spent as a temporary or contract worker performing work for the employer receiving IWT funds). Pursuant to TEGL 19-16, there is one exception to the six-month requirement. In instances where IWT is being provided to a cohort of employees, not every employee in the cohort must have an established employment history with the

⁴ IWT may also be used for underemployed workers—e.g., workers who would prefer full-time work but are working part-time for economic reasons.

employer for six months or more as long as the majority of those employees being trained meet the six-month employment history requirement. LWDBs must develop a process for documenting the six-month work-history requirement for IWT recipients.

LWDBs must define the types or groups of workers who are eligible for IWT services. It is not permissible for IWT funds to be used to provide occupational training for new hires. Incumbent workers are not required to meet WIOA eligibility criteria or priority of service unless they are also enrolled as participants in the WIOA Adult and/or Dislocated Worker program to receive career and training services.

LWDBs must record participant demographic information (see [Incumbent Worker Training Required Data Elements](#) for the list of required elements) for IWT participants in Employ Florida because this information must be reported to the United States Department of Labor. Although individuals receiving IWT are not participants for the purpose of inclusion in WIOA performance indicator calculations, states and local areas are still required to report certain participant and performance data on all individuals who receive only IWT. The required elements for these incumbent workers are limited to basic information and the elements needed to calculate IWT performance indicators for employment in the second and fourth quarters after exit, median earnings in the second quarter after exit, measurable skill gains, and credential attainment. For the purposes of calculating these metrics, the exit date for an individual who only has received IWT will be the last date of training, as indicated in the training contract.

c. Employer Payment Requirement

LWDBs must require employers to pay the non-federal share of the cost of providing IWT. This may be done through both cash payments and fairly evaluated in-kind contributions. The employer contribution may include, for example, the wages the employer pays to the incumbent worker trainee while the worker is attending training. The minimum amount of the employer's share of the cost of providing IWT depends on the size of the employer and may not be less than:

- (1) 10 percent of the cost, for employers with 50 or fewer employees.
- (2) 25 percent of the cost, for employers with between 51 to 100 employees.
- (3) 50 percent of the cost, for employers with more than 100 employees.

IWT must be recorded in Employ Florida using service code 316 (Incumbent Worker Training (Local)) and include the required documentation/case note that aligns with the requirements prescribed in the [Employ Florida Service Code Guide](#).

4. Registered Apprenticeship

Apprenticeship is an employer-driven, “learn while you earn” model that combines on-the-job learning with job-related instruction in curricula tied to the attainment of industry-recognized skills standards. A registered apprenticeship is an apprenticeship program registered under the National Apprenticeship Act, 50 Stat. 664, Chapter 663. Registered apprenticeships are available to individuals age 16 and older, adults and dislocated workers, veterans in receipt of the GI Bill, unemployed workers, underemployed workers, and incumbent workers. Registered apprenticeship programs provide career pathway opportunities for job seekers and a strategy to build a pipeline of long-term talent as part of a job-driven strategy for employers and industries.

Registered apprenticeship programs are vetted and monitored by either the U.S. Office of Apprenticeship or the Florida Department of Education. Each registered apprenticeship program has an approved set of standards that describe the entry and training requirements, as well as wage progression and credential(s) earned. Each apprentice signs an agreement with the apprenticeship sponsor and participating employer which details the terms of the apprenticeship program. The on-the-job learning component of a registered apprenticeship must be delivered under the supervision of a skilled mentor (journey worker).

Registered apprenticeship program sponsors that opt-in to having their registered apprenticeship(s) included on the ETPL are required to be included and maintained on the list for as long as the corresponding program remains registered. A registered apprenticeship program sponsor can opt out of appearing on the ETPL by notifying the Florida Department of Economic Opportunity (DEO) in writing that it no longer wants the program to be included on the ETPL.

Prior to enrolling a participant into a registered apprenticeship activity, the LWDB must ensure the registered apprenticeship includes the work component (on-the-job learning) as well as the occupation related technical instruction (RTI). An ITA may be developed for a participant to receive registered apprenticeship training. LWDBs may also fund registered apprenticeships through customized training, OJT, and/or IWT.

Registered apprenticeships are most appropriate for youth, adults and dislocated workers, veterans in receipt of the GI Bill, unemployed workers (including long-term unemployed), underemployed workers, and incumbent workers.

Registered apprenticeships must be recorded in Employ Florida using service code 329 (Registered Apprenticeship) and include the required documentation/case note that aligns with the requirements prescribed in the [Employ Florida Service Code Guide](#).

5. Performance Accountability for Work-Based Training

Generally, all participants enrolled in training funded by the WIOA Adult and/or Dislocated Worker programs are counted for performance accountability purposes. However, participants who receive OJT or customized training *are not* included in the credential attainment indicator at 20 CFR 677.155(a)(1)(iv) for performance accountability purposes but must be included in the calculation of the other performance indicators.⁵

Individuals who receive only IWT, and are not enrolled as adults or dislocated workers, are not considered participants required for inclusion in the WIOA performance accountability calculations. However, states and LWDBs are required to report the outcome of individuals in receipt of IWT on the primary indicators of performance. Refer to [TEGL 19-16, Section 16. Performance Accountability: Career and Training Services](#) for more specific reporting requirements.

C. Individual Employment Plan

LWDBs must develop an Individual Employment Plan (IEP) for each participant enrolled in work-based learning (including work-based training), except for participants enrolled in IWT. The IEP is a negotiated agreement between the participant and the LWDB detailing what the participant will do to obtain/return to employment and what the program will do to support the participant's efforts. The IEP is an ongoing strategy that must include a clear employment goal, identify assets and barriers, outline the steps necessary (objectives) to achieve the employment goal, and include appropriate resources and services. The IEP must address any barriers that may prevent the participant from achieving the employment goal.

When selecting work-based learning for a participant, the case manager must also include the following in the IEP:

- (1) A determination that a work-based learning activity is appropriate to meet the participant's needs.
- (2) The specific work-based learning most appropriate for the participant based on an assessment of the participant's needs, skill set, and other characteristics⁶ necessary to determine the best activity for the participant.
- (3) The specific short and long-term goals for the work-based learning activity, by identifying the purpose of the activity and outcomes expected.
- (4) The employer with whom the activity will be done and other information relevant to the work-based learning activities.
- (5) Other services/activities necessary to support the work-based learning activity.

⁵ TEGL 19-16

⁶ Characteristics include the features and traits of the individuals. It also refers to individuals with barriers to employment.

The IEP must be created using the Employ Florida IEP/Service Strategy wizard or a locally developed IEP tool, as determined by the LWDB's local operating procedures. Instructions on how to create an IEP using the Employ Florida IEP/Service Strategy wizard are available in the [Virtual OneStop® User Guide for Staff, Section 4: Individuals - Case Management](#). The Employ Florida system will automatically generate a service code 205 (Individual Employment Plan) upon initial creation. The IEP should be signed by the participant and must be retained in the participant's file. No case note is required if the plan is developed using the Employ Florida IEP/Service Strategy wizard. If a locally-developed IEP tool is used, development of the IEP must be recorded in Employ Florida using service code 205 (Individual Employment Plan) and include the required documentation/case note that aligns with the requirements prescribed in the [Employ Florida Service Code Guide](#).

Employ Florida only allows for one IEP per participant. If the participant has an existing IEP in Employ Florida, the case manager must determine if the IEP is still active and work with the program partner that created the existing IEP to determine if the plan should be closed or will require joint coordination. An IEP that is coordinated across multiple programs requires constant communication between the case manager and partner program staff to maximize the effectiveness of the plan and prevent the duplication of services.

D. Contracts and Worksite Agreements

When LWDBs enroll participants in work-based learning (to include work-based training), they must develop either a worksite agreement or contract with the training worksite, depending on the activity:

- (1) Worksite agreements must be developed for work-based learning activities that do not involve an exchange of consideration or a disbursement of funds to or on behalf of an employer.
- (2) A contract must be developed for work-based learning activities that involve an exchange of consideration or a disbursement of funds to or on behalf of an employer.

LWDBs must ensure all of the following elements are included in both worksite agreements and contracts:

- (1) A clear statement of purpose.
- (2) A job description.
- (3) A training outline.
- (4) Requirements of the worksite employer, participant and WIOA service provider or staffing agency.
- (5) Contact information for the supervisor.
- (6) The worksite address.
- (7) Record-keeping, attendance, and payroll information.

- (8) The duration of the activity.
- (9) Signature and dates of all parties to the contract/worksite agreement.
- (10) A process to monitor the participant's worksite activities and ensure adherence to the records retention requirements, as applicable.
- (11) Required tools, equipment, or uniforms, if applicable.
- (12) Health and safety standards established under federal and state law otherwise applicable to working conditions of employees shall be equally applicable to working conditions of participants engaged in work-based training activities, and
- (13) Signatures of both the worksite employer and the staffing agency, when relevant.

The following assurances⁷ are required for all contracts:

- (1) Funds will not be used to directly or indirectly aid in the filling of a job opening which is vacant because the former employee is on strike or is being locked out in the course of a labor dispute, or the filling of which is otherwise an issue in a labor dispute involving a work stoppage.
- (2) Funds will not be used to directly or indirectly assist, promote, or deter union organizing.
- (3) Funds will not be used to displace (including a partial displacement, such as a reduction in the hours of non-overtime work, wages, or employment benefits) a current employee (as of the date of participation).
- (4) Funds will not be used to impair an existing contract for services or collective bargaining agreement, and no activity that would be inconsistent with the terms of a collective bargaining agreement shall be undertaken without the written concurrence of the labor organization and employer concerned.
- (5) Funds will not be used to employ a participant in a job if any other individual is on layoff from the same or any substantially equivalent job, or the employer has terminated the employment of any regular employee or otherwise reduced the workforce of the employer with the intention of filling the vacancy created with the participant.
- (6) Funds will not be used to create a promotional line that will infringe in any way upon the promotional opportunities of currently employed individuals (as of the date of the participation).
- (7) Funds will not be used to encourage or induce relocation.

Contracts for customized training must also include all of the following:

- (1) The specific special training requirements of the employer(s).
- (2) A statement that the training relates to introducing new technologies, production or service procedures, upgrading to new jobs that require additional skills, workplace literacy, or other appropriate purposes identified by the local LWDB.
- (3) A commitment by the employer to employ or retain the individual(s) upon successful completion of the training.

⁷ WIOA Section 181

- (4) Clear information that demonstrates the employer pays for a significant cost of the training, as determined by the LWDB in accordance with the factors identified in WIOA sec. 3(14).

Contracts for IWT must also include all of the following:

- (1) The established non-federal reimbursement share of the cost of providing the training.
- (2) A statement that the training is designed to meet the special requirements of the employer (including a group of employers) to retain a skilled workforce or avert layoffs by assisting the workers in obtaining the skills necessary to retain employment.
- (3) A commitment by the employer to retain or avert the layoffs of the incumbent worker(s).
- (4) Documentation that the participant has an established employment history with the employer of six months or more or that the participant was part of a training group where the majority of the group meets the six months requirement.
- (5) A statement confirming that funds will not be used to pay the wages of incumbent employees during their participation in economic development activities provided through a statewide workforce development system.⁸

Specific contract requirements for OJT are listed in [Administrative Policy 009, On-the-Job Training](#).

In addition to the requirements for specific work-based learning described in this administrative policy, the LWDB must ensure compliance with relevant WIOA requirements and restrictions.

E. Supportive Services

LWDBs may provide supportive services when it is necessary to assist individuals to participate in work-based learning (including work-based training) activities. The provision of such support services must be documented in the participant's IEP.

Additional requirements governing supportive services are prescribed in [Administrative Policy 109, Supportive Services and Needs-Related Payments](#).

F. Local Operating Procedures

Local operating procedures (LOPs) help local areas further define and clarify how programs will be operated locally and are unique to each LWDB. Each LWDB must develop LOPs to establish the local requirements for the work-based learning activities.

⁸ 20 CFR 683.250(a)(1)

At a minimum, the LOPs must:

- (1) For customized training:
 - (a) Describe how the LWDB defines the employer's "significant portion of the cost of training," considering the size of the employer and any other factors the LWDB determines are appropriate, as prescribed in **Section IV.B.2.b.** of this policy.
 - (b) For employed workers, the criteria the LWDB will use to determine the employee is not earning a self-sufficient wage or wages comparable to or higher than wages from previous employment.
 - (c) For employed workers, the process for ensuring customized training relates to introducing new technologies, production or service procedures, upgrading to new jobs that require additional skills, workplace literacy, or other appropriate purposes identified by the LWDB.
- (2) For IWT:
 - (a) Define local eligibility criteria for participating employers.
 - (b) Describe how the employer will meet the non-federal share of costs.
 - (c) Develop a process for documenting the six-month work-history requirement for IWT recipients.
 - (d) Define the types or groups of workers that are eligible for IWT services.

Although not a requirement, LWDBs are encouraged to develop an upskill/backfill strategy which involves filling jobs vacated by promoted employees with other WIOA participants.

- (3) For transitional jobs:
 - (a) Define the transitional jobs strategy/model. Define the provisions on the amount of reimbursement (up to 100%).
 - (b) Define the duration of the jobs.
 - (c) List the supportive services to be offered.
 - (d) Define "chronically unemployed" and "have an inconsistent work history" as well as how these individuals will be identified.
 - (e) Identify the strategy the LWDB uses to promote or encourage participants' transition into unsubsidized jobs.

G. State and Local Monitoring

Services and activities provided under WIOA must be monitored annually by DEO for compliance with WIOA requirements pursuant to Section 185(c), WIOA. DEO will monitor the requirements outlined in this policy and local operating procedures. Additionally, LWDBs must establish local monitoring policies and procedures that include, at minimum:

- (1) Roles of the employer, participant, and LWDB staff.

- (2) Local monitoring procedures of worksites to ensure that all parties are in, and remain in, compliance with federal and state laws, as well as state and local policies and procedures. LWDBs should include in the monitoring process visits to the worksite and interviews of participants and supervisors by individuals who are not responsible for the management of the worksite agreement or the case management of participants at the worksite.
- (3) Validation of skills and competency attainment for participants.

LWDBs must ensure participating employers agree to cooperate with monitoring requirements conducted by the state and/or LWDB and adhere to all other applicable local, state, and federal rules and regulations.

V. REVISION HISTORY

Date	Description
06/03/2022	Updated policy issued by the Florida Department of Economic Opportunity. The policy name was changed from Work Based Training to Work-Based Training and Work-Based Learning for Adults and Dislocated Workers. This policy repeals and supersedes FG OSPS 89 - Employed and Incumbent Worker Training.
02/20/2020	Approved by CareerSource Florida Board of Directors.
06/11/2019	Issued by the Florida Department of Economic Opportunity.