

**NORTEC  
WIOA POLICY STATEMENT  
TRANSITIONAL JOBS**

*Effective Date: October 25, 2018*

**PURPOSE**

The purpose of this policy is to provide guidelines to NoRTEC’s 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 NoRTEC policy.

Transitional jobs should be designed to provide a participant with time-limited work experiences to help him/her 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.

**GENERAL INFORMATION**

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*<sup>1</sup>.

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<sup>2</sup>.

Transitional job expenditures may account for up to 10% of a Service Provider’s expenditures in the Adult program and up to 10% in the Dislocated Worker program<sup>3</sup> during a given program year (July 1 – June 30), and includes only wages and fringe for the individual participating in a transitional job activity<sup>4</sup>.

Wage and fringe charges for this activity may be applied to the minimum training expenditure requirement noted in NoRTEC’s [Training Expenditure Policy](#), provided the participant is enrolled in CalJOBS and tracked with CalJOBS activity code 321 (Transitional Jobs).

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<sup>1</sup> WIOA section 134(d)(5) and WIOA Regulations section 680.190.

<sup>2</sup> DOL TEGL 3-15, Guidance on Services Provider through the Adult and Dislocated Worker Program under WIOA.

<sup>3</sup> “Adult and Dislocated Worker programs” are defined as allocated funding in the Adult and the Dislocated Worker programs only, allocated to NoRTEC on an annual basis. It does not include special project funding.

<sup>4</sup> It should be noted that transitional jobs activities vary from “work experience” or “internship” activities due to the fact that transitional job activities must be combined with comprehensive employment and supportive services, whereas “work experience” and “internship” activities do not have this requirement.

## **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<sup>5</sup> - For the purpose of participant eligibility for transitional job activities, barriers to employment include one or more of the following:
  - Low-income individuals
  - Individuals with disabilities
  - Ex-Offenders
  - Homeless individuals
  - English Language Learners
  - Displaced Homemaker
  - Secondary School Dropout
  - 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:
  - Has never held a full-time job (30+ hours per week) for more than 13 consecutive weeks
  - Has been fired from a job within the 12 months prior to application
  - Has held more than three jobs in the 52 weeks prior to application
  - Is on parole or probation, or has been released from prison/jail within the 12 months prior to application
  - Has been unemployed for the 13 consecutive weeks prior to application
  - Has been unemployed for 15 or more of the 26 weeks prior to application<sup>6</sup>

In addition to including documentation of an individual's eligibility under items 1 and 2 above<sup>7</sup>, the Service Provider must include the summary sheet in Attachment A in the eligibility documentation section of the participant file to indicate the individual is eligible to participate in a transitional job activity during participation in the WIOA program.

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<sup>5</sup> For expanded definitions of the barriers, reference NoRTEC's policy statements for the [Adult and Dislocated Worker](#) programs and the [Youth](#) program.

<sup>6</sup> Weeks of unemployment do not have to be consecutive.

<sup>7</sup> The status of the individual at the time of application is what shall be documented and any changes to these circumstances during the course of the WIOA application cycle do not change the individual's eligibility for transitional job activities.

Service Providers shall attempt to obtain documentary evidence<sup>8</sup> or utilize a collateral contact<sup>9</sup> to document the items marked on the summary sheet 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.

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 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.

### **EMPLOYER REQUIREMENTS**

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.

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.

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 OJT may be developed that follows the requirements of NoRTEC's [OJT Policy](#).

### **PROVISION OF TRANSITIONAL JOB SERVICES**

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.

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<sup>8</sup> The collection of documentary evidence is the preferred method to establish eligibility under WIOA. Such evidence is "source documentation" obtained from an official entity/agency that verifies a particular eligibility criterion. Examples of such entities/agencies that provide source documentation include, but are not limited to: TANF/CalWORKS, foster care agencies, probation departments, justice system entities, Employment Development Department, California Department of Rehabilitation, secondary schools, community colleges, universities, etc.

<sup>9</sup> Collateral contacts are documented telephone or in-person conversations with an appropriate individual that verifies an eligibility criterion. These contacts are documented through the use of a *Telephone Verification/Document Inspection* form, similar to the one that is posted in the Forms section of the Resources menu on the NoRTEC website.

All eligible participants must first undergo an appropriate assessment and develop, with the assistance of a Service Provider staff member, an Individual Employment Plan (IEP) that includes the rationale for a transitional job.

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.

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<sup>10</sup>:

- Career Planning
- Group and/or Individual Counseling
- Short-term Prevocational Services (including soft skills training)
- Workforce Preparation Activities<sup>11</sup>
- Financial Literacy Services
- Out-of-Area Job Search Assistance and Relocation Assistance
- English language acquisition and integrated education and training programs<sup>12</sup>

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.

Eligible participants may participate in up to 520 hours of transitional job activities, delivered over a maximum period of 26 weeks. 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.

## **WORKSITE AGREEMENT**

NoRTEC 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 internships and other work-based learning activities where the participant is

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<sup>10</sup> Expanded definitions of Individualized Career Services may be found in the Individual Career Services section and Attachment E of NoRTEC's [Adult and Dislocated Worker Policy](#).

<sup>11</sup> Workforce preparation activities are activities that help an individual acquire a combination of basic academic skills, critical thinking skills, digital literacy skills, and self-management skills. These skills include competencies in utilizing resources, using information, working with others, understanding systems, and obtaining skills necessary for successful transition into, and completion of, postsecondary education, training, or employment.

<sup>12</sup> For additional information/ideas on Integrated Education and Training programs, access the following: <http://ncen.org/images/documents/policies/WIOA-IET-Model-Programs.pdf>

being paid and the employer providing the supervision for the participant is not the employer of record.

### **MONITORING**

NoRTEC Service Providers shall monitor on-site at least once each calendar month during the transitional job period.<sup>13</sup> All monitoring results must be documented in the participant's file and retained by the Service Provider.

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.

NoRTEC will monitor Service Providers for compliance with this Transitional Jobs policy as part of the regularly scheduled program and fiscal monitoring, as appropriate.

### **PROHIBITIONS**

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.

Participants may not be employed in a transitional job involving political activities.

Participants may not be employed in a transitional job that directly or indirectly assists, promotes or deters union organizing.

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).

### **POLICY EXCEPTIONS**

Service Providers may only make exceptions to this policy with prior written authorization from the NoRTEC Administrative Entity.

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<sup>13</sup> Contracts that begin after the 15<sup>th</sup> of a given month are exempt from a Service Provider monitoring visit for that month. Contracts that end prior to the 16<sup>th</sup> day of a given month are exempt from a Service Provider monitoring visit for that month. Any contract, however, whose duration is less than 32 calendar days must be monitored at least once during the time period of the contract.

**ATTACHMENT A**  
**ELIGIBILITY SUMMARY FOR TRANSITIONAL JOB ACTIVITIES**

**ELIGIBILITY SUMMARY FOR TRANSITIONAL JOB ACTIVITIES**

\_\_\_\_\_ is unemployed, meets the general eligibility requirements for the Adult and/or Dislocated Worker program, and is eligible to participate in a transitional job activity based upon meeting at least one of the criteria in both Section I and Section II below:

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SECTION I  
BARRIERS TO EMPLOYMENT  
(At least one must be checked)

- |                                      |   |
|--------------------------------------|---|
| <input type="checkbox"/> Low Income  | <input type="checkbox"/> English Language Learner |
| <input type="checkbox"/> Disability  | <input type="checkbox"/> Displaced Homemaker      |
| <input type="checkbox"/> Ex-Offender | <input type="checkbox"/> Secondary School Dropout |
| <input type="checkbox"/> Homeless    | <input type="checkbox"/> Basic Skills Deficient   |

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SECTION II  
CHRONICALLY UNEMPLOYED OR INCONSISTENT WORK HISTORY  
(At least one must be checked)

- |   |   |
|---|---|
| <input type="checkbox"/> Has never held a full-time job (30+ hours per week) for more than 13 consecutive weeks | <input type="checkbox"/> Is on parole or probation, or has been released from prison/jail in the 12 months prior to application |
| <input type="checkbox"/> Has been fired from a job within the 12 months prior to application                    | <input type="checkbox"/> Has been unemployed for the 13 weeks prior to application  |
| <input type="checkbox"/> Has held three or more jobs in the past 52 weeks                                       | <input type="checkbox"/> Has been unemployed for 15 or more of the 26 weeks prior to application                                |

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Staff Signature

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Reviewer Signature