



A G E N D A
Orange County Workforce Development Board
SPECIAL MEETING

November 14, 2023
8:30 AM

workforce.ocgov.com

Location:

OC Workforce Solutions Center
28202 Cabot Rd., Suite 140
Laguna Niguel, CA 92677

****In compliance with the Americans with Disabilities Act, those requiring accommodation for this meeting should notify the Orange County Community Services office 72 hours prior to the meeting at (714) 480-6500.**

This agenda contains a brief description of each item to be considered. The Board encourages your participation. If you wish to speak you may do so during Public Comment. To speak on a matter not appearing on the agenda, but under the jurisdiction of this Advisory Board, you may do so during Public Comments. If you wish to speak during Public Comment, complete a Speaker Request Form(s) identifying the items and place them in the Speaker Request basket prior to the beginning of the meeting. Once acknowledged and prompted by the Chair, you may begin to speak. Except as otherwise provided by law, no action shall be taken on any item not appearing in the agenda. When addressing the Board, please state your name for the record prior to providing your comments. Address the Board as a whole through the Chair. Comments to individual Members or staff are not permitted. Speakers are limited to three (3) minutes.

Materials/handouts can be requested up to 72 hours in advance of the meeting by visiting <https://www.occommunityservices.org/cid/oc-workforce-development-board>.

This WIOA Title I financially assisted program or activity is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. TDD/TTY users, please call the California Relay Service (800) 735-2922 or 711.

AGENDA:

1. CALL TO ORDER: Anna Lisa Lukes
2. PLEDGE OF ALLEGIANCE
3. BOARD MEMBER ROLL CALL: OC Community Services Representative
4. PUBLIC COMMENT:
At this time, members of the public may address the Orange County Workforce Development Board regarding any items within the subject jurisdiction, provided that no action is taken on off-agenda items unless authorized by law. (Comments shall be limited to three (3) minutes maximum).

ACTION ITEM(S):

5. OCWDB WORK EXPERIENCE POLICY
Recommendation: Review and approve OCWDB Work Experience Policy
6. OCWDB INCUMBENT WORKER TRAINING POLICY
Recommendation: Review and approve OCWDB Incumbent Worker Training Policy
7. OCWDB INDIVIDUAL TRAINING ACCOUNT POLICY
Recommendation: Review and approve OCWDB Individual Training Account Policy
8. ELECTION OF OFFICERS – Conducted by County Staff
Recommendation: Conduct 2024 OCWDB Election of Officers for the following positions: Chairperson, First Vice Chairperson, Second Vice Chairperson for a term of (1) year.
9. 2024 OCWDB MEETING CALENDAR
Recommendation: Review draft calendar options and make selection for 2024 OCWDB Meeting Calendar.

ADJOURNMENT

DISCLAIMER: No member of the Orange County Workforce Development Board (OCWDB) shall sign a letter or make a statement purported to represent the position of OCWDB as a body. Letters or verbal statements of support or opposition on any issue shall only be made or signed by the Chair of OCWDB and shall be submitted to the Board for approval. The policy of the Board of Supervisors does not allow OCWDB or its Chair to sign a letter of position on any matters pertaining to legislation. OCWDB members may write personal letters or speak as individuals stating personal positions but may not do so as representing the position or opinion of OCWDB.



OC Community Resources

DYLAN WRIGHT
DIRECTOR
OC COMMUNITY RESOURCES

CYMANTHA ATKINSON
ASSISTANT DIRECTOR
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JOANNE VEEDOR
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MONICA SCHMIDT
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JULIA BIDWELL
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OC HOUSING & COMMUNITY
DEVELOPMENT

RENEE RAMIREZ
DIRECTOR
OC COMMUNITY SERVICES

PAMELA PASSOW
DIRECTOR
OC PARKS

JULIE QUILLMAN
COUNTY LIBRARIAN
OC PUBLIC LIBRARIES

Date: November 14, 2023
To: All WIOA Subrecipients of the Orange County Workforce Development Board
From: Nancy Cook
Director of Workforce and Economic Development
Subject: Work Experience Policy
Information Notice No.23-OCWDB-04
Supersedes Information Notice No. 23-OCWDB-02,
20-OCWDB-13, 20-OCWDB-10, 17-OCDB-21

PURPOSE

This policy provides guidance on paid and unpaid Work Experience (WEX) for the Adult, Dislocated Worker and Youth programs under Title I of the Workforce Innovation and Opportunity Act (WIOA) and specialized programs.

EFFECTIVE DATE

This policy is effective on the date of issuance.

REFERENCES

- WIOA, Pub. L. 113-128, Sections 129, 134, 181 and 188
- 20 CFR 200 Parts 603, 681.590, 681.600 and 681.610
- Fair Labor Standards Act of 1938, 52 Stat. 1060, 29 U.S.C. 201 et seq.
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BACKGROUND

A Work Experience (WEX) is a planned, structured, contractual learning experience in a workplace for a limited period of time. A Work Experience is a career service that provides participants with opportunities for career exploration and skill development, must include academic and occupational education concurrently or sequentially, and is linked to a potential career choice.

Definitions

Incentive - Remuneration to participants for successful participation and achievement of expected outcomes as defined in the Individual Education/Employment Plan (IEP).

Individual Employment Plan (IEP) - An individualized career service that is developed jointly by the participant and career planner. The plan is an ongoing strategy to identify employment goals, achievement objectives, and an appropriate combination of services for the participant to achieve the employment goals.

Internship - A system of gaining on-the-job experience by placement in a work environment for a period of time with the goal to build technical and job awareness skills. Internships may be paid or unpaid.

Job shadowing - A short-term unpaid activity which introduces a participant to the workplace and provides exposure to occupational areas of interest to increase career awareness.

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

1. Provides knowledge or skills essential to the full and adequate performance of the job;
2. Is made available through a program that provides reimbursement to the employer of a percentage of the wage rate of the participant; and
3. Is limited in duration as appropriate to the occupation for which the participant is being trained, taking into account the content of the training, prior work experience of the participant, and the service strategy for the participant.

Transitional Jobs – Transitional jobs are a type of paid work-experience that are time-limited and 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. These jobs can be in the public, private, or nonprofit sectors.

Policy and Procedures

A Work Experience must be related to the participant's long-term employment goal. The assessment process and development of the Individual Employment Plan (IEP) helps to identify appropriate worksites for each participant. Work experience should help the participant gain the competencies and experience needed to meet local employer demands. In determining an appropriate length of time, consideration should be given to the skill requirement of the position, the academic and occupational skills level of the participant, prior work experience, and the participant's IEP. The assessment process may identify concerns or

issues that should be addressed prior to, or concurrently with a Work Experience. Service Provider Case Managers must make appropriate referrals if such issues are identified.

Work Experience is designed to promote the development of good work habits and basic work skills for individuals who have never worked, have very limited occupational exposure or have been out of the labor force for an extended period of time. Work Experiences should enable adults, dislocated workers, and youth to gain exposure to the working world and its requirements.

Work Experience is paid or unpaid and may include, but is not limited to, internship and job shadowing. It may be in the private for-profit sector, the non-profit sector or the public sector. It is not designed to replace an existing employee or position. Work Experience wages are paid directly to the Work Experience participant and not the Work Experience employer. Employers are not monetarily compensated. Work experience, including internships, in the private for-profit sector must be structured so as not to appear to be subsidizing private for-profit operations. The work of the participant should not materially impact the profit margin of a private-for-profit company.

Participant Eligibility

All Work Experience participants must meet WIOA program eligibility requirements, be enrolled into the respective WIOA program, and have received an assessment resulting in the development of an IEP that documents the participant's need and benefit of having Work Experience. A Work Experience is not intended for long-term skill building within the occupation, but rather as an entry step for the participant to explore the occupation, develop their skills, gain work history and references. A likely candidate for work experience is a participant who is appropriate for long term employment in a particular industry or occupation but does not have all of the skills or the experience to qualify for entry-level employment in the field. The education component must be documented on the Training Plan, Individual Employment Plan (IEP) and in CalJOBS for those programs that utilize it.

Non-WIOA Funded participants must adhere to the participant eligibility standards as identified by the funding source.

Determining "Trainee" versus "Employee"

Work experience may be paid or unpaid. It is expected that work experience will be paid in most cases and the federal Fair Labor Standards Act (FLSA) will apply in any situation where an employer/employee relationship exists. WIOA participants are subject to the requirements of the FLSA to the extent that the activities performed in the work experience constitute employment.

According to the Wage and Hour Division of the U.S. Department of Labor, Employment Standards Administration, if all of the following six (6) items exist, the work experience can be considered a "training" situation and an employment relationship does not exist under the FLSA:

1. The training, even though it includes actual operation of the facilities of the work experience provider is essentially a training experience similar to a vocational school;
2. The participant is primarily the beneficiary of the experience;
3. Regular employees are not displaced, and the experience is closely supervised/observed;

4. The work experience provider that hosts the experience derives no immediate or significant advantage (and may even be adversely impacted);
5. The participant is not guaranteed a job at the conclusion of the experience; and
6. There is mutual understanding between the participant and the host agency that the participant is not entitled to wages for this time because the activity is essentially a training experience.

If the participant is a "trainee" and an employment relationship does not exist under the FLSA, the FLSA's minimum wage and overtime provisions do not apply to the participant.

If the participant is engaged in the primary operations of the work experience provider and is performing productive work (for example, filing, performing other clerical work, or assisting customers), then the participant is receiving some benefits in the form of a new skill or improved work habits and is unlikely a trainee. If the worksite uses the participant as a substitute for regular full time or part time employees, it is more likely that the participants are employees as opposed to trainees. Also, if the work experience provider would have needed to hire additional employees or require overtime had the participants not performed the work, then the participants are likely employees.

Unpaid Work Experience

Unpaid work experience activity exposes participants to the working environment and an individual does not expect payment for tasks performed. An employer and employee relationship must not exist, which means that all six conditions listed in the Determining "Trainee" versus "Employee" section of this policy letter must be met. The use of unpaid work experience should be limited.

Unpaid work experience may include job shadowing. A participant experiences the work environment to increase career awareness, observe models of behavior on the job through examples, and receives help in making career decisions. Job shadowing can reinforce the link between classroom learning and work requirements. Job shadowing is limited and allows participants to observe only.

If the employer is providing job shadowing opportunities whereby the participant learns certain functions under the close and constant supervision of regular employees, but performs no or minimal work, this type of activity is more likely to be a bona fide training program. However, if the participant receives the same level of supervision as employees, this would suggest an employment relationship.

General Work Experience Requirements

1. Worksites

- OC Workforce Development Board's (OCWDB) Business Solutions are to select worksites based on Orange County's in-demand industry sectors;
- OCWDB Business Solutions shall develop and maintain a pool of worksites that provide a wide range of training opportunities to the participants and enhance their skills development;
- The list of worksites shall include the following information:
 - Name and address of employer/worksite
 - Name, position title, email address and phone number of supervisor
 - Status: Active, In Progress, or Inactive

- For active worksites: name of participants placed, cumulative number of actual hours completed, actual start date and anticipated/actual end date
- Worksites must follow all labor standards in any Work Experience with an employee/employer relationship, as defined by the Fair Labor Standards Act or applicable State law;
- OCWDB Business Solutions will identify and evaluate worksites to determine the appropriateness of utilizing the employer for work experiences. The evaluation components should include provisions of the worksite agreement such as safety, labor law requirements, status of layoffs, etc. In addition, it should evaluate age appropriateness and level of exposure to work readiness and job skills, type of supervision available, as well as review the previous work experience placements at the same location.

Potential worksite employers should also demonstrate a commitment to helping participants receive the experience and training needed to meet their goals. As part of participation, these employers should be willing to work closely with OCWDB Business Solutions, especially since participants have barriers to employment. Proper worksite supervision should be one of the factors that are reviewed prior to placement of the participant in the activity.

Individuals who have been hired by a worksite and subsequently referred to OCWDB Business Solutions are not to be considered for the Work Experience activity. The worksite should commit to the individual training with the belief that the individual is fully capable of performing the tasks required with little or no assistance.

A Work Experience agreement must not be executed with an employer who has received payments under previous work-based services and the employer has exhibited a pattern of failing to provide a positive Work Experience. This includes those employers for On-the-Job Trainings (OJT) where a participant was not provided continued long-term employment, wages, benefits, and working conditions that are not equal to those provided to similarly situated employees.

2. Worksite Agreement & Work-Based Training Plan

- A worksite agreement shall be fully executed between worksite, Service Provider, Site Manager, OCWDB staff, Employer of Record representative and participant before a participant is allowed to start.
- A worksite agreement template (Attachment I) provided by the OCWDB shall be used.
- A copy of the signed Worksite Agreement (Attachment I), Work-Based Training Plan (Attachment II) and timesheets (See Attachment III: Model Timesheet) will be kept in the participant file (hard copy and electronically).
- At minimum, the work site agreement shall provide the following:
 - Names and contact information of all parties
 - Names and titles of all employer staff authorized to sign the participant's timesheet
 - Responsibilities and expectations of the participant, the Worksite, the Employer and Provider staff

- The job title, wage, detailed list of specific skills to be learned, timeline and benchmarks to be achieved, weekly schedule, and number of hours to be completed with the participant as outlined in the Work-Based Training Plan (See Attachment II).
- Worksite will regularly submit timesheet of participants
- Worksite will provide regular written evaluation of participants
- Worksite will provide a written job description and responsibilities to participant
- Identification of the legal requirements that must be met, including worksite safety requirements
- Statement informing the worksite that they may be subject to worksite monitoring by both the local and State representatives, as well as regular visitations by OCWDB Business Solutions
- Provision of termination of the agreement/contract for non-performance or failure to meet the requirements of the agreement/contract
- Non-discrimination and equal opportunity clauses
- Statement that the activity will not displace employees
- Statement that participants must not be engaged in sectarian activities
- Other information, relative to the specific activities
- Signatures and dates from the worksite, Service Provider, Site Manager, OCWDB staff, Employer of Record representative, and participant

3. Wages and Hour Limits

(These requirements apply to all programs except for the Youth Program and special grant programs as described in the sections below.)

- Worksite placement is limited to a timeframe of three weeks to twelve weeks. The exact duration will be based on appropriation for the participant's employment goals, background and skill level as reflected in the IEP.
- OCWDB Business Solutions shall allow for at least fifteen hours a week of work, but no more than 30 hours and not to exceed 120 hours per month. More than 120 hours in a month will require approval from the Orange County Director of Workforce Development.
- Pay an hourly rate of \$17 an hour or at the same rates as similarly situated employees or trainees, subject to the Fair Labor Standards Act
- The maximum allotment for a participant's wage is \$6,800. If it is determined necessary for a participant to receive hours or wages exceeding the maximum allotment, the OCWDB Business Solutions must request advance approval from the Orange County Director of Workforce Development.
- Service Providers may only use up to 10 percent of adult and dislocated worker formula funds for Work Experience and Transitional Jobs.
- Availability of additional funding may also be cause for changes and/or exemptions to this policy.
- Rate of pay for special programs may vary depending on contract terms and conditions

4. Worksite Monitoring

- OCWDB Business Solutions will conduct worksite monitoring with each active worksite at least twice per program year and complete WEX Desk Procedure

Attachment III: Worksite Monitoring Form. Active worksites shall be monitored by OCWDB staff and the OCWDB Business Solutions to ensure compliance with the Worksite Agreement & Training Plan.

- OCWDB Business Solutions will conduct an annual on-site visit to complete the Initial Worksite Evaluation Form to ensure they remain in compliance
- Results of the monitoring review shall be documented, filed and made available to the OCWDB, state, or federal staff upon request.
- Any worksite that demonstrates a pattern of non-compliance shall not continue as a worksite.
- Where a waiver of any OCWDB policy provisions is needed, a formal waiver request must be approved by the Orange County Director of Workforce Development before any Worksite Agreement is executed.

5. Timesheets

- Participants in a work experience will be hired and compensated by the County of Orange Contracted Employer of Record and/or by Third-Party Employer of Record.
- County of Orange Contracted Employer of Record and/or Third-Party Employer of Record covers a participant's wages, Federal Insurance Contributions Act (FICA) and workers compensation. Work Experience participants do not receive benefits such as health care, 401K, paid time off, overtime, etc. The employer of record will be responsible for paying all taxes.
- Payroll must be strictly based on timesheets completed by the participants, reviewed and signed by the Supervisor and duly approved by designated Service Provider Staff for payment. (See Attachment III - Model Timesheet).
- All timesheets must be kept in the participant's file (hard copy and electronically).

6. Work-Based Training Plan

A Work-Based Training Plan shall be completed for every participant prior to starting any Work Experience assignment and will accompany the Worksite Agreement. All Work-Based Training Plan documents will be kept in the participants' file.

Requirements specific to WIOA youth programs

A Work Experience is one of the 14 Youth service elements that must be made available to all registered participants and should be offered throughout the program year. Work Experiences are arranged in conjunction with OCWDB Business Solutions, and businesses in the community. A Work Experience is established on an individual basis.

The primary intent of Work Experience is to help the participant(s) understand proper workplace behavior and what is necessary in order to attain and retain employment. Work Experiences should help participants(s) acquire the personal attributes, knowledge, and skills needed to obtain a job and advance in employment. Work Experience can serve as a stepping-stone to unsubsidized employment and is an important step in the process of developing a career pathway. All Work Experiences should expose participant(s) to realistic working conditions and task as much as possible. OCWDB Business Solutions are encouraged to identify a worksite mentor that the participant can meet with on a structured basis, to assist with answering questions and addressing concerns. The mentor should be someone who is comfortable

offering guidance, support and encouragement to develop the competence and characteristics of the participant.

Earn and Learn opportunities

An Earn and Learn program is a specialized occupational skills training program that includes elements required in the WIOA youth program. The program may be done in-person or through a virtual platform. The participant earns a stipend when participating in the “live” classes and when completing projects required for the program. A participant is expected to have a “product” upon completion of the Earn and Learn program. In line with general youth experience guidelines, participants must not exceed thirty (30) hours per week and may not exceed \$550.00 per week paid at \$17 per hour.

Youth Work Experience Funding Requirements

Service Providers must spend at least 30% of their overall WIOA youth funding, after subtracting the administrative costs, on Work Experience Funded (WEF) activities, including participant wages as well as staffing costs associated with the development and management of Work Experience, even if the Work Experience is unpaid. Allowable expenditures beyond wages may include the following:

1. Staff time spent identifying potential work experience opportunities.
2. Staff time working with employers to develop the work experience.
3. Staff time spent working with employers to ensure a successful work experience.
4. Staff time spent evaluating the work experience.
5. Classroom training or the required academic education component directly related to the work experience.
6. Orientation sessions for participants and employers.

WEF expenditures shall coincide with specific WEF budgeted line items and shall be tracked and reported on the monthly Service Provider invoices.

The duration of the WEX shall begin with 12 weeks. If a modification/extension is needed, OCWDB Business Solutions will review on a case-by-case basis and complete a Modification Form (Attachment V) which must be signed by all parties for proper approval. Extensions may not exceed 10 months and/or 600 hours. A tracking sheet shall be maintained by the Provider to ensure that actual WEX hours do not exceed the allowable limit.

WEX participants must be paid at a rate of \$17 an hour.

The OCWDB Business Solutions and Service Provider must ensure compliance with child labor laws and ensure that youth participants under 18 years old obtain a work permit (unless not required to have one). The employer must possess a valid Permit to Employ and Work and comply with all applicable federal and state child labor laws if the participant is less than 18 years of age. Proof of age and parental consent must be given for both paid and unpaid work experience. See Youth Employment Summary Chart (Attachment IV) for additional information.

Special projects may require an exemption to both WEX limitations on hours and wage levels for some or all participants. The Orange County Director of Workforce Development may approve WEX waivers. Waiver request must be submitted in writing. Participants may not exceed the 600-hour limit PRIOR to the date of waiver approval.

Special Grant Work Experience

Special grant programs may be implemented that require different Work Experience hours and funding levels. If staff are providing case management for a non-WIOA funded Work Experience services (ex. Social Services Agency (SSA) Employment Preparation Program (EPP), Work Experience (WEX) or Vocational Training Program (VTR) funded work experience), it is appropriate to follow the grant requirements and document in the participant case file the staff related cost and the non-WIOA funded contractual requirements.

SSA durational guidelines include:

1. EPP: Paid work experience may not exceed one year; this includes one initial 6-month term, with the option to extend for two additional 3-month terms.
2. WEX: Paid work experience may not exceed a total of 4 months; this includes one 3-month term, with the option to renew for one additional one-month term.
3. VTR: Unpaid work experience may not exceed 12 months; there is no option to renew with VTR.

Case File

Documentation will be kept in the participant's file (hard copy and electronically), which should include, at a minimum, the following items:

1. An assessment and IEP indicating a need for Work Experience;
2. A copy of the agreement between the participant, the worksite or host site and the OCWDB, including the Work-Based Training Plan, and any other attachments to the agreement;
3. Time sheets, attendance sheets and performance records, as appropriate; and
4. Documentation of supportive services received by the participant.

MIS CalJOBS Requirements

Activities must be coded in CalJOBS using the most appropriate activity codes and indicating corresponding start and end dates. Applicable Measurable Skills Gains must be recorded in CalJOBS upon successful completion of activities.

ACTION

Bring this policy to the attention of all affected staff and all relevant parties.

INQUIRIES

If you have any questions regarding this policy, please contact your Contract Administrator at (714) 480-6500.

ATTACHMENTS

- Attachment I: Worksite Agreement
- Attachment II: Work-Based Training Plan
- Attachment III: Model Timesheet
- Attachment IV: Youth Employment Summary Chart
- Attachment V: Modification Form



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Date: ~~October 25, 2023~~ Revised: ~~PENDING OCWDB Approval~~
~~February 16, 2023~~
August 21, 2020
Effective: July 24, 2019

To: All WIOA Subrecipients of the Orange County
Development Board

From: [Nancy Cook](#) ~~Renee Ramirez~~
Director of ~~Workforce Development~~ ~~Orange County Community~~
~~Services~~

Subject: Work Experience Policy
Information Notice No. 23-OCWDB-042
Supersedes Information No. [23-OCWDB-02](#), 17-OCDB-21,
20-OCWDB-10,
20-OCWDB-13

PURPOSE

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Work experience may be paid or unpaid. It is expected that work experience will be paid in most cases and the federal Fair Labor Standards Act (FLSA) will apply in any situation where an employer/employee relationship exists. WIOA participants are subject to the requirements of the FLSA to the extent that the activities performed in the work experience constitute employment.

According to the Wage and Hour Division of the U.S. Department of Labor, Employment Standards Administration, if all of the following six (6) items exist, the work experience can be considered a "training" situation and an employment relationship does not exist under the FLSA:

1. The training, even though it includes actual operation of the facilities of the work experience provider is essentially a training experience similar to a vocational school;
2. The participant is primarily the beneficiary of the experience;
3. Regular employees are not displaced, and the experience is closely supervised/observed;
4. The work experience provider that hosts the experience derives no immediate or significant advantage (and may even be adversely impacted);
5. The participant is not guaranteed a job at the conclusion of the experience; and
6. There is mutual understanding between the participant and the host agency that the participant is not entitled to wages for this time because the activity is essentially a training experience.

If the participant is a "trainee" and an employment relationship does not exist under the FLSA, the FLSA's minimum wage and overtime provisions do not apply to the participant.

If the participant is engaged in the primary operations of the work experience provider and is performing productive work (for example, filing, performing other clerical work, or assisting customers), then the participant is receiving some benefits in the form of a new skill or improved work habits and is unlikely a trainee. If the worksite uses the participant as a substitute for regular full time or part time employees, it is more likely that the participants are employees as opposed to trainees. Also, if the work experience provider would have needed to hire additional employees or require overtime had the participants not performed the work, then the participants are likely employees.

Unpaid Work Experience

Unpaid work experience activity exposes participants to the working environment and an individual does not expect payment for tasks performed. An employer and employee relationship must not exist, which means that all six conditions listed in the Determining "Trainee" versus "Employee" section of this policy letter must be met. The use of unpaid work experience should be limited.

Unpaid work experience may include job shadowing. A participant experiences the work environment to increase career awareness, observe models of behavior on the job through examples, and receives help in making career decisions. Job shadowing can reinforce the link between classroom learning and work requirements. Job shadowing is limited and allows participants to observe only.

If the employer is providing job shadowing opportunities whereby the participant learns certain functions under the close and constant supervision of regular employees, but performs no or minimal work, this type of activity is more likely to be a bona fide training program. However, if the participant receives the same level of supervision as employees, this would suggest an employment relationship.

General Work Experience Requirements

1. Worksites

- OC Workforce Development Board's (OCWDB) Business Solutions are to select worksites based on Orange County's in-demand industry sectors;
- OCWDB Business Solutions shall develop and maintain a pool of worksites that provide a wide range of training opportunities to the participants and enhance their skills development;
- The list of worksites shall include the following information:
 - Name and address of employer/worksite
 - Name, position title, email address and phone number of supervisor
 - Status: Active, In Progress, or Inactive
 - For active worksites: name of participants placed, cumulative number of actual hours completed, actual start date and anticipated/actual end date
- Worksites must follow all labor standards in any Work Experience with an employee/employer relationship, as defined by the Fair Labor Standards Act or applicable State law;
- OCWDB Business Solutions will identify and evaluate worksites to determine the appropriateness of utilizing the employer for work experiences. The evaluation components should include provisions of the worksite agreement such as safety, labor law requirements, status of layoffs, etc. In addition, it

should evaluate age appropriateness and level of exposure to work readiness and job skills, type of supervision available, as well as review the previous work experience placements at the same location.

Potential worksite employers should also demonstrate a commitment to helping participants receive the experience and training needed to meet their goals. As part of participation, these employers should be willing to work closely with OCWDB Business Solutions, especially since participants have barriers to employment. Proper worksite supervision should be one of the factors that are reviewed prior to placement of the participant in the activity.

Individuals who have been hired by a worksite and subsequently referred to OCWDB Business Solutions are not to be considered for the Work Experience activity. The worksite should commit to the individual training with the belief that the individual is fully capable of performing the tasks required with little or no assistance.

A Work Experience agreement must not be executed with an employer who has received payments under previous work-based services and the employer has exhibited a pattern of failing to provide a positive Work Experience. This includes those employers for On-the-Job Trainings (OJT) where a participant was not provided continued long-term employment, wages, benefits, and working conditions that are not equal to those provided to similarly situated employees.

2. Worksite Agreement & Work-Based Training Plan

- A worksite agreement shall be fully executed between worksite, Service Provider, Site Manager, OCWDB staff, Employer of Record representative and participant before a participant is allowed to start.
- A worksite agreement template (Attachment I) provided by the OCWDB shall be used.
- A copy of the signed Worksite Agreement (Attachment I), Work-Based Training Plan (Attachment II) and timesheets (See Attachment III: Model Timesheet) will be kept in the participant file (hard copy and electronically).
- At minimum, the work site agreement shall provide the following:
 - Names and contact information of all parties
 - Names and titles of all employer staff authorized to sign the participant's timesheet
 - Responsibilities and expectations of the participant, the Worksite/Employer and Provider staff
 - The job title, wage, detailed list of specific skills to be learned, timeline and benchmarks to be achieved, weekly schedule, and number of hours to be completed with the participant as outlined in the Work-Based Training Plan (See Attachment II).
 - Worksite will regularly submit timesheet of participants
 - Worksite will provide regular written evaluation of participants
 - Worksite will provide a written job description and responsibilities to participant
 - Identification of the legal requirements that must be met, including worksite safety requirements
 - Statement informing the worksite that they may be subject to worksite monitoring by both the local and State representatives, as well as regular visitations by OCWDB Business Solutions

- Provision of termination of the agreement/contract for non-performance or failure to meet the requirements of the agreement/contract
- Non-discrimination and equal opportunity clauses
- Statement that the activity will not displace employees
- Statement that participants must not be engaged in sectarian activities
- Other information, relative to the specific activities
- Signatures and dates from the worksite, Service Provider, Site Manager, OCWDB staff, Employer of Record representative, and participant

3. Wages and Hour Limits

(These requirements apply to all programs except for the Youth Program and special grant programs as described in the sections below.)

- Worksite placement is limited to a timeframe of three weeks to twelve weeks. The exact duration will be based on appropriation for the participant's employment goals, background and skill level as reflected in the IEP.
- OCWDB Business Solutions shall allow for at least fifteen hours a week of work, but no more than 30 hours and not to exceed 120 hours per month. More than 120 hours in a month will require approval from the Orange County Director of Workforce Development.
- Pay an hourly rate of \$17 an hour or at the same rates as similarly situated employees or trainees, subject to the Fair Labor Standards Act
- The maximum allotment for a participant's wage is \$6,800. If it is determined necessary for a participant to receive hours or wages exceeding the maximum allotment, the OCWDB Business Solutions must request advance approval from the Orange County Director of Workforce Development.
- Service Providers may only use up to 10 percent of adult and dislocated worker formula funds for Work Experience and Transitional Jobs.
- Availability of additional funding may also be cause for changes and/or exemptions to this policy.
- Rate of pay for special programs may vary depending on contract terms and conditions

4. Worksite Monitoring

- OCWDB Business Solutions will conduct worksite monitoring with each active worksite at least twice per program year and complete WEX Desk Procedure Attachment III: Worksite Monitoring Form. Active worksites shall be monitored by OCWDB staff and the OCWDB Business Solutions to ensure compliance with the Worksite Agreement & Training Plan.
- OCWDB Business Solutions will conduct an annual on-site visit to complete the Initial Worksite Evaluation Form to ensure they remain in compliance
- Results of the monitoring review shall be documented, filed and made available to the OCWDB, state, or federal staff upon request.
- Any worksite that demonstrates a pattern of non-compliance shall not continue as a worksite.
- Where a waiver of any OCWDB policy provisions is needed, a formal waiver request must be approved by the Orange County Director of Workforce Development before any Worksite Agreement is executed.

5. Timesheets

- Participants in a work experience will be hired and compensated by the County of Orange Contracted Employer of Record and/or by Third-Party Employer of Record.
- County of Orange Contracted Employer of Record and/or Third-Party Employer of Record covers a participant's wages, Federal Insurance Contributions Act (FICA) and workers compensation. Work Experience participants do not receive benefits such as health care, 401K, paid-time off, overtime, etc. The employer of record will be responsible for paying all taxes.
- Payroll must be strictly based on timesheets completed by the participants, reviewed and signed by the Supervisor and duly approved by designated Service Provider Staff for payment. (See Attachment III - Model Timesheet).
- All timesheets must be kept in the participant's file (hard copy and electronically).

6. Work-Based Training Plan

A Work-Based Training Plan shall be completed for every participant prior to starting any Work Experience assignment and will accompany the Worksite Agreement. All Work-Based Training Plan documents will be kept in the participants' file.

Requirements specific to WIOA youth programs

A Work Experience is one of the 14 Youth service elements that must be made available to all registered participants and should be offered throughout the program year. Work Experiences are arranged in conjunction with OCWDB Business Solutions, and businesses in the community. A Work Experience is established on an individual basis.

The primary intent of Work Experience is to help the participant(s) understand proper workplace behavior and what is necessary in order to attain and retain employment. Work Experiences should help participants(s) acquire the personal attributes, knowledge, and skills needed to obtain a job and advance in employment. Work Experience can serve as a stepping-stone to unsubsidized employment and is an important step in the process of developing a career pathway. All Work Experiences should expose participant(s) to realistic working conditions and task as much as possible. OCWDB Business Solutions are encouraged to identify a worksite mentor that the participant can meet with on a structured basis, to assist with answering questions and addressing concerns. The mentor should be someone who is comfortable offering guidance, support and encouragement to develop the competence and characteristics of the participant.

Earn and Learn opportunities

An Earn and Learn program is a specialized occupational skills training program that includes elements required in the WIOA youth program. The program may be done in-person or through a virtual platform. The participant earns a stipend when participating in the "live" classes and when completing projects required for the program. A participant is expected to have a "product" upon completion of the Earn and Learn program. In line with general youth experience guidelines, participants must not exceed thirty (30) hours per week and may not exceed \$550.00 per week paid at \$17 per hour.

Youth Work Experience Funding Requirements

Service Providers must spend at least 30% of their overall WIOA youth funding, after subtracting the administrative costs, on Work Experience (WEF) activities, including participant wages as well as staffing costs associated with the development and management of Work Experience, even if the Work Experience is unpaid. Allowable expenditures beyond wages may include the following:

1. Staff time spent identifying potential work experience opportunities.

2. Staff time working with employers to develop the work experience.
3. Staff time spent working with employers to ensure a successful work experience.
4. Staff time spent evaluating the work experience.
5. Classroom training or the required academic education component directly related to the work experience.
6. Orientation sessions for participants and employers.

WEF expenditures shall coincide with specific WEF budgeted line items and shall be tracked and reported on the monthly Service Provider invoices.

The duration of the WEX shall begin with 12 weeks. If a modification/extension is needed, OCWDB Business Solutions will review on a case-by-case basis and complete a Modification Form (Attachment V) which must be signed by all parties for proper approval. Extensions may not exceed 10 months and/or 600 hours. A tracking sheet shall be maintained by the Provider to ensure that actual WEX hours do not exceed the allowable limit.

WEX participants must be paid at a rate of \$17 an hour.

The OCWDB Business Solutions and Service Provider must ensure compliance with child labor laws and ensure that youth participants under 18 years old obtain a work permit (unless not required to have one). The employer must possess a valid Permit to Employ and Work and comply with all applicable federal and state child labor laws if the participant is less than 18 years of age. Proof of age and parental consent must be given for both paid and unpaid work experience. See Youth Employment Summary Chart (Attachment IV) for additional information.

Special projects may require an exemption to both WEX limitations on hours and wage levels for some or all participants. The Orange County Director of Workforce Development may approve WEX waivers. Waiver request must be submitted in writing. Participants may not exceed the 600 hour limit PRIOR to the date of waiver approval.

Special Grant Work Experience

Special grant programs may be implemented that require different Work Experience hours and funding levels. If staff are providing case management for a non-WIOA funded Work Experience services (ex. Social Services Agency (SSA) Employment Preparation Program (EPP), Work Experience (WEX) or Vocational Training Program (VTR) funded work experience), it is appropriate to follow the grant requirements and document in the participant case file the staff related cost and the non-WIOA funded contractual requirements.

SSA durational guidelines include:

1. EPP: Paid work experience may not exceed one year; this includes one initial 6-month term, with the option to extend for two additional 3-month terms.
2. WEX: Paid work experience may not exceed a total of 4 months; this includes one 3-month term, with the option to renew for one additional one-month term.
3. VTR: Unpaid work experience may not exceed 12 months; there is no option to renew with VTR.

Case File

Documentation will be kept in the participant's file (hard copy and electronically), which should include, at a minimum, the following items:

1. An assessment and IEP indicating a need for Work Experience;

2. A copy of the agreement between the participant, the worksite or host site and the OCWDB, including the Work-Based Training Plan, and any other attachments to the agreement;
3. Time sheets, attendance sheets and performance records, as appropriate; and
4. Documentation of supportive services received by the participant.

MIS CalJOBS Requirements

Activities must be coded in CalJOBS using the most appropriate activity codes and indicating corresponding start and end dates. Applicable Measurable Skills Gains must be recorded in CalJOBS upon successful completion of activities.

ACTION

Bring this policy to the attention of all affected staff and all relevant parties.

INQUIRIES

If you have any questions regarding this policy, please contact your Contract Administrator at (714) 480-6500.

ATTACHMENTS

Attachment I: Worksite Agreement
Attachment II: Work-Based Training Plan
Attachment III: Model Timesheet
Attachment IV: Youth Employment Summary Chart
Attachment V: Modification Form

ATTACHMENT I
WORKSITE AGREEMENT

Work Experience Policy Information Notice No.23-
OCWDB-04 [Revised November 2023]



OC Community Services

OC WORKFORCE DEVELOPMENT BOARD
Overseeing job seekers, youth and business programs and services.

americanjobcenter CALIFORNIA

County of Orange OCCR/OCCS

WORKSITE AGREEMENT

Service Provider: _____ **Phone Number:** _____

The term of this agreement is _____, 20() through _____, 20().

This agreement is funded by:

- WIOA
- Temporary Assistance to Needy Families (TANF)
- State of California _____
- County of Orange _____
- City of _____
- Other _____

and authorized through _____ (Funding Source),
Orange County Community Resources - Community Services (OCCR/OCCS), and
_____ (Service Provider).

Worksite training activities are designed to provide program participants with exposure to good work habits, job skills and work experience. The worksite agreement should detail the terms and conditions of paid work experience and the expectations of the parties to the agreement. The agreement is between the participant, worksite employer, employer of record and the OCWDB Business Solutions. By accepting this worksite agreement, the parties agree to the terms and conditions below.

One agreement must be filled out for each worksite or department, if there are multiple positions per department provide attached pages with information from section IV. All parts of this worksite are required for completion, including FEIN number.

I. Worksite Organization/Company

II. Worksite/Department Address

*(*If different from section I)*

Company: _____

Address: _____

City, State _____

Zip: _____

Contact Person:

Title: _____

Phone: _____

Email: _____

Department Name: _____

Address: _____

City, Sate, Zip: _____

Participant Name: _____

FEIN: required _____

III. Type of Organization Non-Profit Government Agency Private Business Other

IV. Position Information

Position/Title	Days/Week	Hours	Supervisor	Phone #

Description: The **duties** to be performed by the program participant, and the **skills** to be taught for the position listed above.

Duties to perform: _____

Skills to be taught: _____

Any special requirements to fulfill employment expectations (be specific): _____

V. Union Concurrence Non-Applicable Applicable (if applicable, complete the section below)

Program using worksite(s) where collective bargaining or working agreements exist must have written concurrence of the labor organizations and employer. The undersigned representative of the collective bargaining agency concurs in the use of this worksite for the sole purpose of providing work experience to program participants through the OCCR/OCCS.

As the representative of Local # / Union Name _____ I hereby submit my concurrence to the OCCR/OCCS Worksite.

Representative Name	Representative Signature	Date
---------------------	--------------------------	------

IV. The Organization and Department(s) named on page 1, agree to the following assurances and conditions:

1. The OCWDB Business Solutions shall provide orientation to each worksite supervisor covering the program elements including policy, payroll, and worker’s compensation requirements prior to the program participant referral or the actual program participant beginning work on the site.
2. The service provider shall review all standards and program guidelines with the participant prior to the start of their work experience.
3. The worksite shall provide job orientation to all program participants as related to work policies, job safety, and job expectations. The work policies, job safety, and job expectations for program participants must be the same as for non-program workers at the site.
4. Each worksite supervisor shall maintain an accurate record of time and attendance of each program participant to be recorded on the time sheet. The worksite supervisor shall complete the section under Worksite Supervisor Rating of Employee Performance. The time sheets will be signed by both the program participant and the worksite supervisor and submitted to the employer of record each pay period. Electronic timesheet signatures are acceptable.
5. The Employer of Record shall pay a wage to the program participant. The wage to be paid will be determined by the Work Experience Policy. This is a training position for which the intent is to provide work experience and exposure to the world of work.
6. The worksite shall provide sufficient work to occupy the program participant’s work hours and shall provide sufficient equipment and/or materials to enable the program participant to carry out the work assignments.

7. Program participants will be paid only for actual hours worked.
- Youth Program participants are limited to no more than ___ total **program hours if they are between the ages 14-17, and no more than ___ total program hours if they are between the ages of 18-24.** This includes the amount of time a participant spent in paid-work readiness and financial literacy trainings.
 - WIOA Adult/DW program participants are limited to no more than _____ total hours of paid-work experience training.
 - SSA WEX/ EPP program participants are limited to no more than _____ total hours of paid-work experience training.
 - Other/ special program participants are limited to no more than _____ total hours of paid-work experience training.

Worksite supervisors will be expected to track time worked. **Participant time worked in excess of the agreed hours will be paid by or reimbursed by the worksite. The Service Provider and worksite shall ensure that participant does not exceed the total contracted hours of employment as listed. Failure to do so will result in the Service Provider assuming both legal and financial responsibility for the payment of wages, taxes and all other employment related matters for hours worked beyond contracted terms.** This is a training position; therefore, no pay will be given for holidays. **Overtime work is not allowed.**

8. Program participants are covered under the Worker's Compensation policy of the OCCR/OCCS Employer of Record during the contracted hours. On the job injury reports will be completed by the program participant, supervisor, and authorized worksite official and submitted to the OCWDB Business Solutions and OCCR/OCCS payroll provider. All job injuries must be reported within 24 hours of the injury occurrence to the OCWDB Business Solutions and payroll provider in order for medical claims to be processed for worker's compensation and to OCCR/OCCS within 48 hours of the injury occurrence.
9. Worksite supervisors and/or Service Provider shall provide counseling to those program participants who may be experiencing unsatisfactory performance. The worksite supervisor shall notify OCWDB Business Solutions prior to any disciplinary action.
10. The worksite shall assure that all work is conducted in a safe and sanitary drug free environment and shall assure that all program participants are supervised on a full-time basis by a qualified supervisor.
11. OCCR/OCCS, OCWDB Business Solutions, Employer of Record and the worksite shall adhere to all applicable Federal, State, and Local labor laws, including minor labor laws if the participant is less than 18 years old.
12. OCCR/OCCS's Employer of Record will maintain general liability insurance coverage and will hold harmless OCCR/OCCS and worksites except to the extent that damage is caused by the willful misconduct of either OCCR/OCCS or worksites.
13. The Service Provider shall inform the program participant of grievance procedures, equal pay, and non-discrimination assurances prior to worksite placement. The worksite shall not, in any manner or for any reason, discriminate against any program participant.
14. The worksite shall, upon request of the OCWDB Business Solutions and/or OCCR/OCCS, release the program participant for attendance at labor market orientations, career orientations, job readiness training, or other program activities.
15. The worksite assures that any program participant will not displace currently employed workers. The participants' work experience cannot result in a reduction of hours for permanent employees.
16. The worksite must provide a safe, healthy work environment for all program participants. The OCCR/OCCS and the payroll provider reserve the right to deny a worksite based upon unsafe work environment and/or assigned job duties.

17. The OCWDB Business Solutions in partnership with the worksite shall ensure that program participants will not be placed at worksites dealing with the maintenance or upkeep of religious institutions or where religious activities are conducted at any time. Instruction and participation in religious activities are also prohibited.
18. The OCWDB Business Solutions in partnership with the worksite shall ensure that program participants do not engage in political/lobbying, union or fundraising activities during work hours.
19. The OCWDB Business Solutions in partnership with the worksite shall prohibit program participants from being supervised by a member of their family, or anyone with a direct or conflicting relationship with the participant.
20. The OCWDB Business Solutions and Service Provider in partnership with the worksite shall make all worksite records and personnel available for onsite monitoring by Federal, State and OCCR/OCCS and will retain the records in accordance with federal and state regulations.
21. The OCWDB Business Solutions in partnership with the worksite shall provide and obtain acknowledgement ensuring a work environment free from harassment or discrimination of any kind.
22. The OCWDB Business Solutions in partnership with the worksite shall clearly post Work Permits and Emergency Contact Information in the program participants' work areas, as well as display all federally regulated postings. Copies of the Emergency Contact Information must accompany the program participant when they work off-site.
23. The terms of this agreement shall not be waived, altered, modified, supplemented, or amended in any manner whatsoever, except by written instrument/notification from the OCCR/OCCS and signed by all parties.
24. If the worksite is negligent in responsibilities agreed to in this document, the site:
 - a. May not be used at a future date, and
 - b. May be held legally and financially responsible for disallowed costs identified by government auditors or monitors.
25. Service Provider and OCWDB Business Solutions must maintain a copy of this worksite agreement for each participant who works at the site.

Supervision: Each program participant must have a designated supervisor and alternate supervisor. These supervisors shall be identified on the worksite agreement prior to the first day of work.

All worksite supervisors must be experienced in the work to be performed. Worksite supervisors are to encourage good working habits and positive attitudes about work. Supervisors are required to complete the participant timesheet and evaluation, review with the participant and submit to the employer of record each pay period.

It is the responsibility of OCWDB Business Solutions to orient each worksite supervisor to the program requirements; assure his/her attendance at a supervisor's orientation prior to the placement of participants at the worksite and to provide the supervisor with a copy of the WEX Supervisor Handbook and a copy of this agreement.

Program Eligibility: The program participant must be determined eligible and suitable for participation as required by the funding source, awarding agency and by OCCR/OCCS prior to beginning the work experience.

We have read the worksite agreement and agree to abide by all applicable assurance and conditions.

Name of Authorized Signer for Worksite Signature of Authorized Signer for Worksite Date

Name of Service Provider Site Manager Signature of Service Provider Site Manager Date

Name of OCWDB Staff Signature of OCWDB Staff Date

Name of Authorized Employer of Record Representative Signature of Authorized Employer of Record Representative Date

Name of Participant Signature of Participant Date

Employer of Record Agreement

(Employer of Record Name), will serve as the employer of record for the above stated program; and as employer of record, will assume all insurance and tax withholding liabilities including Workers' Compensation, Unemployment Insurance, General Liability, Federal, State, and Local tax withholding for the youth participants.

As the employer of record **(Employer of Record Name)**, requires the following information for each worksite: Name, address, contact person, contact number, FEIN, worksite description, participant job description, and tentative working schedule.

As a worksite you agree to adhere to all Federal, State, and local labor laws, the standards outlined in the agreement with the respective community-based service provider, the standards outlined by OCCR/OCCS to maintain safe working conditions, and to report within 24 hours any known injuries or incidents to the respective community-based service provider/vendor and OCWDB Business Solutions involving participants being paid by **(Employer of Record Name)**.

Furthermore, _____(Worksite) assumes and agrees to indemnify and hold harmless **(Employer of Record Name)**, related companies, parent companies, subsidiaries, divisions and all of their respective officers, agents, directors and employees from any and all liability and expenses (including attorney's fees) with respect to any claims, demands, causes of action, suits, losses, liabilities and/or lawsuits for any and all damages or losses to property (including cash or other valuables) or injury to any person by whomsoever such claims may be asserted, including specifically but without limitation, employees of **(Employer of Record Name)**, employees of Client, entities for which client performs work, and members of the general public arising from the use of **(Employer of Record Name)**, temporary employees who were referred by Client. This agreement shall not apply to workers' compensation and/or unemployment claims filed by **(Employer of Record Name)**.

By signing below, I acknowledge and agree to comply with the terms and conditions as described above,

Authorized Worksite Representative Signature

Date

Service Provider Signature

Date

Employer of Record Signature

Date

ATTACHMENT II

WORK-BASED TRAINING PLAN

Work Experience Policy Information Notice No.23-OCWDB-04
[Revised November 2023]

WORK-BASED TRAINING PLAN

Participant: _____

EMPLOYER: _____

SUPERVISOR(S): _____
(AUTHORIZED TO SIGN TIME SHEETS)

PHONE #: _____

OCCUPATION: _____

O*NET CODE: _____

WAGE: \$_____ HOURS PER WEEK: _____

Work Experience START DATE: _____

Work Experience END DATE: _____

List work elements, skills, duties and tasks for which the client will receive training or perform during the hours listed above. Use additional pages if required.	Initial Skills	
	Yes	No
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		

INSTRUCTIONS: Complete each section of summary by providing appropriate information. Worksite supervisor(s) please list all individuals that have authorization to sign the time sheets. Job duties should relate to the actual duties, work elements and skills required of that job that the client will be doing. Use only those lines necessary to list the actual job duties; not all lines need to be used. Mark Initial Skills yes or no depending on the client’s skill level at the time the client is placed at the worksite. Initial Skills are provided to assist the Administering Agency in tracking job specific skills competency attainment. Attach one copy of the training summary to the Work Experience agreement. Give one copy to the supervisor and place one copy in the client’s file. If more than one supervisor is identified, photocopies of the training summary may be made and distributed accordingly.

Supervisor Signature _____

ATTACHMENT III
MODEL TIMESHEET

Work Experience Policy Information Notice No.23-OCWDB-04
[Revised November 2023]



Model Timesheet

Participant's Name		Worksite Name	
Address		Address	
ID Number		Supervisor's Name	
Program Name/Code		Phone Number	
Hourly Pay Rate		Alt Supervisor's Name*	
Job Title		Phone Number	

* Additional employer representatives authorized to sign this timesheet

Start Date		End Date	
Pay Period Start Date		Pay Period End Date	

Column A	B	C	D	E	F	G
Day of Week	Date	Time In	Time Out	Number of Hours	Break (meal)	Total Hours Worked: (Column E minus F)
Monday						
Tuesday						
Wednesday						
Thursday						
Friday						
Saturday						
Sunday						
Monday						
Tuesday						
Wednesday						
Thursday						
Friday						
Saturday						
Sunday						

Worksite Supervisor Rating of Employee Performance					
<i>Please circle the appropriate ratings below</i>					
Poor (P) Fair (F) Satisfactory (S)					
Good (G) Excellent (E)					
Job Knowledge	P	F	S	G	E
Work Quality	P	F	S	G	E
Attendance	P	F	S	G	E
Dependability	P	F	S	G	E
Communication/Listening Skills	P	F	S	G	E

Worksite Supervisor
Please comment on your work experience participant's progress and performance on the job

Terms and Conditions: All parties certify that the number of hours worked are listed correctly; and that employer has reported any areas of concern to the Provider representative.

Worksite Supervisor Signature and Date: _____

Service Provider Staff Signature and Date: _____

Participant Signature and Date: _____

ATTACHMENT IV
YOUTH EMPLOYMENT SUMMARY

Work Experience Policy Information Notice No.23-OCWDB-04
[Revised November 2023]



YOUTH EMPLOYMENT SUMMARY CHART

	Ages 16 and 17 Must have completed 7th grade to work while school in session.	Ages 14 and 15 Must have completed 7th grade to work while school in session
SCHOOL IN SESSION*	4 hours per day on any schoolday** 8 hours on any non-schoolday or on any day preceding a non-schoolday. 48 hours per week Work Experience Education (WEE) students may work more than 4 hours on a schoolday, but never more than 8.	3 hours per schoolday outside of school hours 8 hours on any non-schoolday 18 hours per week and must be outside school hours. WEE students may work during school hours and up to 23 hours per week.
SCHOOL NOT IN SESSION	8 hours per day 48 hours per week	8 hours per day 40 hours per week
SPREAD OF HOURS	5 a.m. – 10 p.m. However, until 12:30 a.m. on any evening preceding a non-schoolday. WEE students, with permission, until 12:30 a.m. on any day	7 a.m. – 7 p.m., except that from June 1 through Labor Day, until 9 p.m.
SCHOOL ATTENDANCE	Not required if a high school graduate or has a certificate of proficiency.	Must attend school full-time unless a high school graduate or equivalent.
WORK PERMIT	Required unless a high school graduate or equivalent	Required unless a high school graduate or equivalent.

The U.S. Department of Labor considers the phrase "when school is in session" to mean the scheduled schooldays of the public school system in the county where the minor resides. A school week under federal standards is any week during which school is in session for at least one day. Thus, school is considered in session during any week that has at least one scheduled schoolday. Since the school session is derived from the schedule for the county's public schools, school may be considered in session for a minor who attends a private school that is closed during the summer if the public schools are in session at that same time.

**A "schoolday" is any day that the minor is required to attend school for 240 minutes or more.

State of California Department of Industrial Relations – Minors Summary Chart,
<https://www.dir.ca.gov/dlse/MinorsSummaryCharts.pdf>

ATTACHMENT V
MODIFICATION FORM

Work Experience Policy Information Notice No.23-OCWDB-04
[Revised November 2023]



WORK-EXPERIENCE (WEX) MODIFICATION FORM

WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)

PARTICIPANT AND WORKSITE INFORMATION			
Participant Name			
WIOA Application			
Service Provider			
Worksite Name			
Supervisor			
Contact / Title			
Facility Address			
Start Date	End Date	Weekly Hours	Position/Title
<input type="checkbox"/> MODIFICATION <input type="checkbox"/> EXTENSION			
REASON FOR MODIFICATION/EXTENSION			

By signing this form, the undersigned certify that the information reflected herein are in accordance with all Federal, State, and local policies and as required by appropriate laws. The terms of the Worksite Agreement shall not be waived, altered, modified, supplemented, or amended except by written modifications listed in this WEX Modification Form after signatures from all parties have been obtained.

Print Name of Authorized Signer for Worksite

Authorized Signer for Worksite Signature and Date

Print Name of Service Provider Site Manager

Service Provider Site Manager Signature and Date

Print Name of County of Orange Representative

County of Orange Representative Signature and Date

Print Name of Employer of Record

Employer of Record Signature and Date

Print Name of Participant

Participant Signature and Date



DYLAN WRIGHT
DIRECTOR
OC COMMUNITY RESOURCES

CYMANTHA ATKINSON
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DIRECTOR
OC PARKS

JULIE QUILLMAN
COUNTY LIBRARIAN
OC PUBLIC LIBRARIES

OC Community Resources

Date: November 14, 2023
To: All WIOA Subrecipients of the Orange County Workforce Development Board
From: Nancy Cook
Director of Workforce and Economic Development
Subject: Individual Training Account (ITA) Policy
Information Notice No. 23-OCWDB-05
Supersedes Information Notices No. 21-OCWDB-05,
16-OCDB-05

PURPOSE

This policy is to identify the parameters of the Individual Training Account (ITA) and to standardize the delivery of ITAs through WIOA Title I program Service Providers and all other applicable providers who administer ITAs. Orange County Workforce Development Board (OCWDB) uses the online database, I-TRAIN, to list eligible training providers.

EFFECTIVE DATE

This notice is effective on the date of issuance.

REFERENCES

- Title I of the Workforce Innovation and Opportunity Act (WIOA) of 2014, Sections 108, 134(a)(3)(A)(xii), and 134(c)(3)
- Workforce Innovation and Opportunity Act §134, Pub. L. 113-128
- Jobs for Veterans Act, Pub. L. 107-288
- 20 C.F.R. Parts 675.300, 680.140(b)(6), 680.200-230, 680.300, 680.320-680.340, 680.420, 680.470, 680.600, 680.650-660, 681.480, and 683.500-683.510
- 29 U.S.C. 3101 et seq.
- 38 U.S.C. 4213
- USDOL, Training and Employment Guidance Letter (TEGL) 08-19, WIOA Title I Training Provider Eligibility and State List of Eligible Training Providers (ETPs) and Programs (January 2, 2020)
- USDOL, TEGL WIOA No. 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 Services (ES), as amended by Title III of WIOA, and for Implementation of the WIOA Final Rules, (March 1, 2017)



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- USDOL TEGL 13-16, Guidance on Registered Apprenticeship Provisions and Opportunities in the Workforce Innovation and Opportunity Act (WIOA), (January 12, 2017)
- EDD Workforce Services Directive No. WSD19-10, Directive on the Recovery of WIOA Tuition and Training Refunds (February 20, 2020)
- EDD Workforce Services Directive No. WSD21-03, Eligible Training Provider List (ETPL) Policy and Procedures (February 22, 2023)

BACKGROUND

The Workforce Innovation and Opportunity Act (WIOA) requires that training services are provided to all eligible Title I Adults, Dislocated Workers, Youth, and other program specific participants. In Orange County, an eligible training program is based on the State of California Eligible Training Provider List (ETPL) and I-TRAIN using Individual Training Accounts (ITAs). The intent is to maximize informed customer choice in the selection of qualified training providers. Once an eligible training selection is made using I-TRAIN, the case manager is expected to arrange for payment of services through an ITA. Use of I-TRAIN and an ITA is required for classroom training and may include apprenticeship training or other training options.

Definitions

Appropriateness - The possession of qualities that are right, needed, or suitable for training services.

Basic Skills Deficient - An individual who is unable to compute or solve problems, or read, write, or speak English, at a level necessary to function on the job, in the individual's family, or in society.

Eligible Training Provider - An entity that receives funding for training services through an ITA; must be included on the State of California Eligible Training Provider List (ETPL) and I-TRAIN and provide training services.

Family - Two or more persons related by blood, marriage (including same-sex marriages), or decree of court, who are living in a single residence and are included in one or more of the following categories:

1. A married couple and dependent children;
2. A parent or guardian and dependent children; or
3. A married couple.

Family Self-Sufficiency - An economic standard that uses a combination of family members' income to determine whether the participant has the means to fund training services. Refer to OCWDB Self-Sufficiency Policy.

In-Demand Industry Sector - An industry sector that has a substantial current or potential impact (including through jobs that lead to economic self-sufficiency and opportunities for advancement) on the state, regional, and local economy, as appropriate, and that contributes

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to the growth or stability of other supporting businesses, or the growth of other industry sectors as listed in OCWDB Demand Occupation Criteria Policy.

In-Demand Occupation - An occupation that currently has, or is projected to have, positions (including positions that lead to economic self-sufficiency and opportunities for advancement) in an industry sector that has a significant impact on the state, regional, or local economy as listed in the OCWDB Demand Occupation Criteria Policy.

Individual Employment Plan (IEP) – An IEP is an individualized career service jointly developed by the participant and career planner that identifies the participant’s employment goals and determines service needed for the participant to reach the employment goals.

Individual Service Plan (ISP) – An individualized service plan jointly developed by the participant and career planner that identifies the youth’s need, educational and employment goals.

Intrastate Training Resource and Information Network (I-TRAIN) – The online, searchable database used by South Bay Workforce Investment Board (SBWIB) that includes the training program information (such as contact name, location, accessibility, accreditation, and availability of financial aid) for approved training programs in the Southern California region. (<https://wioa.i-train.org/>)

Local/Orange County ETPL – The training program list maintained by the ETPL Appointee that has been vetted and approved for use by OCWDB Service Providers.

Occupational Skills Training - An organized program of study that provides specific vocational skills that lead to proficiency in performing actual tasks and technical functions required by certain occupational fields at the entry, intermediate, or advanced level, and results in attainment of a recognized post-secondary credential.

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

1. Provides knowledge or skills essential to the full and adequate performance of the job;
2. Is made available through a program that provides reimbursement to the employer of up to 50 percent of the wage rate of the participant, except as provided in section 134(c)(3)(H) of WIOA, for the extraordinary costs of providing the training and additional supervision related to the training; and
3. Is limited in duration as appropriate to the occupation for which the participant is being trained, considering the content of the training, prior work experience of the participant, and the service strategy for the participant.

Priority Population - Individuals who have barriers to employment, are on public assistance, and who are basic skills deficient are given priority to receive individualized career services and training services. This priority must be consistent with priority of services for veterans and eligible spouses.

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Pre-Apprenticeship Skills Training - A program or set of strategies designed to prepare individuals to enter and succeed in a registered apprenticeship program and has a documented partnership (letter of commitment) with at least one, if not more, approved apprenticeship program(s). In California, the apprenticeship partner must be approved by the California Department of Industrial Relations, Division of Apprenticeship Standards (DIR/DAS). Such pre-apprenticeship programs must possess or develop a strong record of enrolling their pre-apprenticeship graduates into a registered apprenticeship program.

Policy & Procedures

Individual Training Accounts (ITA) are a training option made available to eligible participants when it is determined that it will be unlikely that the participant will be able to obtain or retain reemployment which leads to self-sufficiency or higher wages from previous employment through basic career services alone. An ITA is limited in cost and duration and must result in employment that leads to economic self-sufficiency or wages higher than those from previous employment. ITAs are not entitlements and shall be provided only to eligible participants on the basis of an individualized career assessment. Participants shall choose career training with Eligible Training Providers who are on the online database, I-TRAIN.

The Service Provider's Case Manager should refer the individual to the online database I-TRAIN for an eligible training program and coordinate payment with the training provider through an ITA. The ITA is a payment agreement established on behalf of a participant seeking training, to purchase training services from eligible training providers. Only those training providers that are on I-TRAIN and are approved for use of WIOA are able to redeem ITAs for payment. When participants select an eligible training provider, they are required to seek out providers who offer financial aid assistance to ensure best utilization of Workforce Innovation and Opportunity Act (WIOA) and other County program funds as applicable.

Eligibility for Training Services

To be eligible for training services, program staff must determine whether adult, dislocated worker, or out-of-school youth participants (ages 16 to 24) are appropriate for training services.

1. Evaluate Appropriateness to Receive Training Services

- Determination of appropriateness should be done by completion of an interview, evaluation or assessment, and career planning in coordination with the IEP/ISP.
- Assessments may include, but not be limited to:
 - A combination of standardized tests;
 - Inventory of participant's interests, skills assessment, career exploration; and
 - Available labor market information.
- Training services may be provided to adults, dislocated workers, or youth who, after an interview, evaluation, or assessment and career planning, have been determined to:
 - Be unlikely or unable to obtain or retain employment that leads to economic self-sufficiency or wages comparable to or higher wages

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received from previous employment even after receiving WIOA career services;

- Be in need of training services to obtain or retain employment that leads to economic self-sufficiency or wages comparable to or higher than wages received from previous employment;
- Have the skills and qualifications to successfully participate in the selected training services programs;
- Select training services programs that are directly linked to employment opportunities in the local area or the planning region, or in another area to which adults, dislocated workers, or youth are willing to commute or relocate;
- If applicable, be a member of a worker group covered under a petition for Trade Adjustment Assistance (TAA) who are awaiting a determination; and
- Be determined eligible and are members of a priority population if training services are provided through adult program training services.

2. Informed Customer Choice

ITAs will be provided in a manner that maximizes informed consumer choice in selecting an Eligible Training Provider in accordance with the goals and objectives outlined in the participant's IEP/ISP. Service Provider staff assist customers with career choices; however, the ultimate decision rests with the customer. The career assessment should measure the participants job readiness, employment and training needs, financial, social and supportive needs, and potential for successful completion. Priority consideration shall be given to programs that lead to recognized postsecondary credentials that are aligned with in-demand industry sectors or occupations in the local area as identified through the use of Labor Market Index (LMI), local in-demand industries and local in-demand occupations.

After general eligibility documentation has been collected, a participant may be provided career services. If it is determined that a participant requires training in order to obtain employment, an initial and comprehensive assessment must be administered to determine that the participant's skill set is comparable to the level of completing training successfully. A second interview will take place to gather all required ITA and training documentation to justify financial assistance needs.

3. Determining Self-Sufficiency

- As part of the determination of the appropriateness for training services, the Service Provider must review "family self-sufficiency" for participants seeking an ITA. ITAs may only be approved for those who were determined during WIOA enrollment to be below the Self-Sufficiency standard.
- Out-of-school youth must also be screened for dependency status. Refer to OCWDB Dependent Status Policy for guidance on determining dependency status. If a youth is determined to be dependent, Self-Sufficiency would

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include the income(s) of all family members, including the youth's parent(s). Self-Sufficiency is determined during WIOA enrollment.

- WIOA eligible adults who are over the Self-Sufficiency standard are not eligible for ITAs. Other WIOA services may be provided, as appropriate. They may also be served using other WIOA funds, if eligible.

4. Extenuating Circumstances for WIOA Adult-Funded ITAs

- If a participant's family income exceeds the "Self-Sufficiency" standard, a participant may still receive an ITA if extenuating circumstances exist. When evaluating extenuating circumstances, the costs related to the economic hardship must be the responsibility of either that person or that of his or her legal dependent, spouse, or parent. Those costs must be ongoing and expected to cause a financial hardship for the duration of the ITA.
- Economic hardships include, but are not limited to:
 - The portion of medical procedure or prescription medication costs that are not covered by insurance and are ongoing and determined to be medically essential;
 - Health insurance premium payments that are not paid for by private or public sources;
 - Payments on past due or back mortgage, rent, or essential services (e.g., electric, water, natural gas, propane, and other utility arrearages) that accumulated because of involuntary unemployment or underemployment;
 - Court-ordered child support or spousal payments;
 - Ongoing payments to a nursing home, home health care provider, elder care provider, or assisted living provider; or
 - Payments toward debt that accumulated due to a natural disaster, severe illness, or disability.
- Extenuating circumstances do not include normal rent, mortgage, utility, automobile, fuel, grocery, credit card, or "pay-day loan" payments.
- Exceptions may be approved on a case-by-case basis for individuals whose family income exceeds the family self-sufficiency standard. Documentation explaining the extenuating circumstances must be maintained in the participant file, along with the approval from the Orange County Director of Workforce and Economic Development.

When past income is an eligibility determinant for Federal employment or training programs, any amounts received as military pay or allowances by any person who served on active duty, and certain other specified benefits must be disregarded for the veteran and for other individuals for whom those amounts would normally be applied in making an eligibility determination. Military earnings are not to be included when calculating income for veterans or transitioning service members.

Coordinating ITAs with Other Sources of Funding

Funding for training is limited to participants who are either unable to obtain grant or financial assistance from other sources to pay the costs of their training; or those that require assistance

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beyond what is available under grant or financial assistance from other sources to pay the costs of such training. The Service Provider Case Manager will consider the availability of other sources of grants/funding to pay for training costs so that WIOA funding is used to supplement other financial sources including but not limited to other Federal, State, local, private job training programs, scholarships, financial assistance, Pell Grants, or TAA. In making the funding determination, the Service Provider Case Manager will take into account the full cost of participating in training services, including the cost of supportive services and other appropriate costs. The participant is required to submit documentation of the award and acceptance or denial of Federal, State, local, or private financial assistance to the Service Provider Case Manager during the eligibility determination period for training.

A participant may enroll in trainings that are funded by WIOA while an application for any financial aid is pending as long as the Service Provider has made arrangements for reimbursement with the training provider and the participant regarding allocation of any financial aid or other financial source, if it is subsequently awarded. In that case, the training provider must reimburse the Service Provider any funds used to underwrite a training for the amount covered by financial aid or other source, including any education fees the training provider charges to attend trainings. Should a student not complete a program for any reason, the standard refund policy of the training institution will be applied in accordance with the "Recovery of Tuition Funds" section.

Training benefits funded by the Veterans' Administration (VA) are not included in the category of "grant assistance from other sources" and eligible veterans and spouses are not required to coordinate their entitlement to those benefits, including the GI Bill, with their eligibility for trainings that are funded by WIOA. VA benefits for education and training services do not constitute "other grant assistance" under WIOA's eligibility requirements. Therefore, eligibility for VA benefits for education or training services do not preclude a veteran or the veteran's eligible spouse from receiving WIOA funded services, including training funds. Service Providers may not require veterans or spouses to exhaust their entitlement to VA funded training benefits prior to allowing them to enroll in WIOA funded training.

ITAs In Conjunction with On-the-Job Trainings (OJTs) or Registered Apprenticeship

ITAs may be provided to individuals in conjunction with On-the-Job Training (OJT) funds when appropriate, and the ITA may be used before or during. While registered apprenticeships automatically qualify to be on a State's ETPL, they may not always be listed because apprenticeship programs have the authority to decide if they want to be included or not. ITAs can be used for the following apprenticeship-related costs:

1. Tuition, books, and related for pre-apprenticeship training
2. Tuition, books and related for classroom training that is part of the apprenticeship

Duration of ITA

The duration of an ITA is determined by a participant's course of study. Short-term and long-term trainings for participants must be attainable. Short-term trainings are those completed in 12 months or less and are the preferred programs. Long-term trainings cannot exceed 24 months. Bachelor degree programs may be funded only if a participant can successfully document that he or she is in the last 2 years of a training program (e.g. remaining hours are

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equal to or less than 50 percent of the total credit hours required for the degree) and is in an in-demand occupation. The classroom training portion of the Registered Apprenticeship programs may be up to 4 years in length. Because of the benefits of a registered apprenticeship program, including an established career pathway and simultaneous employment, WIOA may fund the full length of the training.

When determining the length of a training, local areas must consider a participant's career pathway and the services necessary to achieve the participant's goal. For example, the classroom training portion of a Registered Apprenticeship program is typically longer than a year. This training is a part of a career pathway involving longer training and simultaneous employment for the apprentice.

If a participant is unable to complete the training program within the timeframe outlined in the ITA, the ITA may be extended. All exceptions must be approved prior to implementation of extension by the Orange County Director of Workforce and Economic Development. There are some instances when more time may be warranted, including but not limited to:

1. A participant's military service or military-related leave time;
2. Lack of availability of classes;
3. Cancellations of classes; or
4. Unforeseen illness of the participant or an immediate family member of the participant. For the purposes of this policy, immediate family members include the participant's parents (including step-parents), spouse, domestic partner, and children (including step-children or children who the participant has been awarded custody of through a court).

Participant Research and Physical Site Visit

Upon completion of an assessment and following the identification of the need for training, a participant shall conduct research on three training providers from I-TRAIN information available from Service Provider staff, and the internet.

The participant is required to complete a physical site visit at a minimum of one school to determine if the facilities are adequate and accessible. The participant must consider transportation, classroom setting, and if applicable, necessary accommodations for persons with disabilities.

If a training is online, the participant must have consistent access to a computer and any necessary equipment to complete the course. The case manager must document the reason for choosing an online course within case notes located in either CalJOBS, participant case notes, or in the program's monthly reports.

Financial Literacy

Any participants who are requesting training shall have completed either the FDIC Money Smart workshop or FDIC Money Smart Computer Based Training prior to receiving training.

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OCWDB Financial Literacy Policy provides additional guidance for implementing career services.

ITA Funding

Service Providers are allocated ITAs through budgeted line items within the contract. Budgets may increase or decrease based on system training needs and funding availability. It is the responsibility of the Service Providers to manage, track, and report ITA funding.

1. Cost Limitations

The cost limit for an ITA is \$10,000 for the lifetime of the participant. The maximum ITA limit is not an entitlement. The amount and duration of each participant's ITA award is determined on an individual basis. Funding amounts will consider the total costs of the selected training program, any other financial assistance available to the participant, and the funding provided by WIOA available to the Adult, Dislocated Worker, or Youth Programs.

The cost for ITAs are determined by the average cost of training for specific in-demand occupations within the local area as well as the following criteria:

- Whether the training investment is in line with the future expected earnings of the participant;
- Whether the training is being provided as part of the registered apprenticeship program; and
- Consideration of the full cost of participating in training services, including costs for fees and books, tuition, and other associated costs.

An adult, dislocated worker, or out-of-school youth participant may select a training that costs more than the maximum amount available for ITAs when other sources of funds are available to supplement the ITA.

2. Allowable Individual Training Account Costs

ITA expenditures are costs required by the training institution to complete the training. ITA costs required to complete the training may include, but are not limited to:

- Tuition and fees
- Books
- Tools
- Uniforms
- Tests
- Medical immunizations/tests

Supportive Services are necessary to the success of the ITA (e.g. transportation or childcare) and shall be provided to the participant as needed and not included in the cost of the ITA.

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ITA Authorization and Modifications

1. Individual Training Account Authorization

Service Providers shall use an ITA Authorization Form (Attachment I) to document eligibility. The form must be completed and uploaded into CalJOBS and noted within a case note on the program's monthly report prior to the start date of training.

2. Individual Training Account Voucher

The Service Providers shall generate and execute an ITA Voucher (Attachment II) and document into CalJOBS and case notes on the program's monthly report (whichever is most applicable) prior to the start date of the training. No ITA Voucher will be issued, approved, or paid retroactively for any participant previously enrolled in training by an I-TRAIN training provider, prior or concurrently to their enrollment into a WIOA/Non-WIOA program.

If a participant does not complete a training program listed on I-TRAIN, and within the next year, requests to re-enroll into the previous program or a new one, then the following conditions must be met in order to be approved for a new ITA:

- Participant has been determined eligible for training services by the Service Provider;
- Service Provider must request approval from the Orange County Director of Workforce and Economic Development. Request must be made in writing and should include supporting documentation.

It is the responsibility of the Service Providers to manage the documentation of authorization and obligation of allocated ITA funds in accordance to this policy.

3. Participant Training Agreement

The Service Provider is to collect a signed Participant Training Agreement (Attachment III) from each participant prior to starting the training program in order to document that the participant understands the expectations and requirements of the chosen training program. A copy must be maintained and uploaded to CalJOBS.

4. Waivers

Service Providers must request a waiver (Attachment IV) for the following situations prior to approving the ITA. All waivers must be submitted to the Orange County Director of Workforce and Economic Development for approval.

- An ITA for a training program not in an in-demand occupation or industry sector;
- An ITA cost greater than the pre-approved amount of \$10,000
- An ITA longer than 24 months.

Approval from the OC Director of Workforce and Economic Development for any of the above situations must be obtained prior to implementing an ITA. Waiver

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approvals must be uploaded into CalJOBS and documented in the participant's case notes.

5. ITA Payment

OCWDB WIOA ITA participants are to be considered private-pay students. Service Providers are to pay the training provider prior to or upon the participant's first month of the training program. Service Providers are required to maintain the training program billing statement/invoice with the participant's ITA Voucher and, once the Service Provider has paid for the program, the receipt or proof of payment provided by the training institution. Service Providers are responsible for validation and payment of all invoices and documentation of participants' performance outcomes.

6. ITA Modifications, Voids, and Discontinuation

An ITA may be modified to ensure that a participant attains their educational goals and subsequent employment. An ITA modification occurs when there is a change to the ITA that affects the training program, training dates, and/or cost. An ITA requiring a cost change must have prior approval from the Service Provider Program Manager documented on the ITA Authorization Form. Upon approval, an amended ITA Voucher is executed with the training provider. Any modification to an ITA shall be documented on the Training ITA Authorization Form, ITA Voucher, participant case notes, and activity status updated in CalJOBS, as applicable.

An ITA Void occurs when a participant decides to forego training, does not start training, and does not incur costs. An ITA Discontinuation occurs after the participant starts training and incurs a cost. The Service Provider is responsible for understanding a training provider's refund policy and determining when a refund is due for early termination of a participant's training. The Service Provider is to complete the ITA Void/Discontinuation Form (Attachment V) when a void or discontinuation occurs with a participant. Any voids or discontinuations to an ITA shall be documented on the ITA Authorization Form, ITA Void/Discontinuation Form, participant case notes, and activity status updated in CalJOBS.

7. Recovery of Tuition Funds

In the event a participant discontinues training, the Service Provider must do due diligence to ensure the recovery of WIOA and non-WIOA funds provided to training institutions. Prior to placement in a training program, the Service Providers must verify the following:

- The refund policy of the training provider for early termination from the training program;
- A requirement for the training provider/participant to notify the case manager of early participant/student dropout;
- The amount and percentage of the advanced payment to be returned;
- Turnaround timeframe for the refund; and
- Time spent in training before a refund will no longer be honored.

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If it is determined that a refund is due, the Service Provider/participant will initiate the refund process with the training provider. Once the Service Provider recovers tuition funding from a training provider for an ITA expense that had been previously reimbursed by the County, the Service Provider will submit a refund in the form of a check to the County and include back-up documentation with the following information:

- Participant's name;
- Name of training program; and
- Copy of previous invoice that the training program was paid.

Service Providers are obligated to return all tuition refunds during and after the contract term within 60 days of notification of participant dropout/termination date.

8. ITA Obligation, Expenditure and Leverage Reporting

Each Service Provider shall be issued an allocation of funds which shall be monitored and tracked to ensure that authorized and obligated cost of ITA's do not exceed the allocated total. After authorization, the total cost of the ITA, the leveraged amounts, and expenditures shall be reported in a format directed by the County of Orange.

Service Provider Reimbursement

Service Provider reimbursement of ITAs shall be submitted to the County of Orange on the corresponding monthly invoice in which the training program was paid. County of Orange approval of payments are contingent on verification of documentation of payment (i.e. itemized receipt, ITA Authorization, ITA Voucher) and will be subject to a review of eligibility based on documentation. On a quarterly basis, Service Providers will reconcile, review, and report the results of ITA funding activities with Training Providers to the County of Orange.

Documentation

It is the responsibility of the Service Provider to track each participant monthly to ensure that the participant is receiving training throughout the duration of the course. For WIOA Service Providers that utilize CalJOBS, participant information must be scanned into CalJOBS system and kept in hard paper files with all other documentation for verification, monitoring, and audit purposes. ITA eligibility, availability of other grant funding, and the other requirements of this policy must be documented.

The following items are examples of the supporting documentation for ITAs:

1. Assessment results supporting the selected program of study. The assessment must support the need for training including a determination by a case manager that the participant will be unlikely or unable to obtain or retain employment that leads to self-sufficiency or higher wages from previous employment through career services alone; and that the selected program of study will result in employment leading to economic self-sufficiency or wages comparable to or higher than wages from previous employment;

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2. Completed IEP/ISP documenting the selected program of study, anticipated and actual start/end dates, and training outcomes;
3. Verification of scholarships, FAFSA, Pell, or TAA application and award status, if applicable;
4. Authorization of the ITA (Attachment I) and any approved increase modification;
5. Case note documenting that the selected training provider is on the Eligible Training Provider List;
6. ITA Voucher (Attachment II);
7. Participant Training Agreement (Attachment III);
8. Approved waiver (Attachment IV), if applicable;
9. ITA Void/Discontinuation Form (Attachment V), if applicable;
10. Documentation of the participant’s progress and/or grades;
11. Documentation of certificates and/or degrees; and/or
12. Enrollment and updating of activity codes.

For Non-WIOA Service Providers, payment reimbursement approvals are subject to the access and availability of training documentation as outlined above.

Outcomes

Service Providers shall provide individualized job placement assistance no later than when the client reaches 75% of training completion to ensure that the training leads to unsubsidized employment in a related field. Activities shall be entered and updated into the CalJOBS system and/or within participant case notes as documented within monthly program reports. Service Providers are to report any relevant information pertaining to the training program that could affect current and future outcomes (dropouts, issues or discrepancies with the program, etc.) to their OCWDB Grants Manager. OCWDB will relay the information to South Bay WIB. Successful completion of training courses must lead to a recognized certificate/credential or equivalent, and attainment of unsubsidized employment.

Reporting Performance Outcomes

Enrollments, Cost Obligations, Expenditures, Refunds, Leverage, Completion Status, and Employment outcomes shall be tracked by the Service Provider and reported in a format outlined by the County of Orange.

ACTION

Bring this policy to the attention of all affected staff and all relevant parties.

INQUIRES

If you have any questions regarding this policy, please contact your Contract Administrator at (714) 480-6500.

ATTACHMENTS

- Attachment I: Individual Training Account Authorization Form
- Attachment II: Individual Training Account Voucher
- Attachment III: Individual Training Account Participant Agreement
- Attachment IV: Individual Training Account Waiver

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Attachment V: Individual Training Account Void/Discontinuation Form



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Date: ~~October 25~~ November XX, 2023
To: All WIOA Subrecipients of the Orange County Workforce Development Board
From: Nancy Cook
Director of Workforce and Economic Development
Subject: Individual Training Account (ITA) Policy
Information Notice No. 23-OCWDB-05
Supersedes Information Notices No. 21-OCWDB-05, 16-OCDB-05

PURPOSE

This policy is to identify the parameters of the Individual Training Account (ITA) and to standardize the delivery of ITAs through WIOA Title I program Service Providers and all other applicable providers who administer ITAs. Orange County Workforce Development Board (OCWDB) uses the online database, I-TRAIN, to list eligible training providers.

EFFECTIVE DATE

This notice is effective on the date of issuance.

REFERENCES

- Title I of the Workforce Innovation and Opportunity Act (WIOA) of 2014, Sections 108, 134(a)(3)(A)(xii), and 134(c)(3)
- Workforce Innovation and Opportunity Act §134, Pub. L. 113-128
- Jobs for Veterans Act, Pub. L. 107-288
- 20 C.F.R. Parts 675.300, 680.140(b)(6), 680.200-230, 680.300, 680.320-680.340, 680.420, 680.470, 680.600, 680.650-660, 681.480, and 683.500-683.510
- 29 U.S.C. 3101 et seq.
- 38 U.S.C. 4213
- USDOL, Training and Employment Guidance Letter (TEGL) 08-19, WIOA Title I Training Provider Eligibility and State List of Eligible Training Providers (ETPs) and Programs (January 2, 2020)
- USDOL, TEGL WIOA No. 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 Services (ES), as amended by Title III of WIOA, and for Implementation of the WIOA Final Rules, (March 1, 2017)

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- USDOL TEGL 13-16, Guidance on Registered Apprenticeship Provisions and Opportunities in the Workforce Innovation and Opportunity Act (WIOA), (January 12, 2017)
- EDD Workforce Services Directive No. WSD19-10, Directive on the Recovery of WIOA Tuition and Training Refunds (February 20, 2020)
- EDD Workforce Services Directive No. WSD21-03, Eligible Training Provider List (ETPL) Policy and Procedures (February 22, 2023)

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BACKGROUND

The Workforce Innovation and Opportunity Act (WIOA) requires that training services are provided to all eligible Title I Adults, Dislocated Workers, Youth, and other program specific participants. In Orange County, an eligible training program is based on the State of California Eligible Training Provider List (ETPL) and I-TRAIN using Individual Training Accounts (ITAs). The intent is to maximize informed customer choice in the selection of qualified training providers. Once an eligible training selection is made using I-TRAIN, the case manager is expected to arrange for payment of services through an ITA. Use of I-TRAIN and an ITA is required for classroom training and may include apprenticeship training or other training options.

Definitions

Appropriateness - The possession of qualities that are right, needed, or suitable for training services.

Basic Skills Deficient - An individual who is unable to compute or solve problems, or read, write, or speak English, at a level necessary to function on the job, in the individual's family, or in society.

Eligible Training Provider - An entity that receives funding for training services through an ITA; must be included on the State of California Eligible Training Provider List (ETPL) and I-TRAIN and provide training services.

Family - Two or more persons related by blood, marriage (including same-sex marriages), or decree of court, who are living in a single residence and are included in one or more of the following categories:

1. A married couple and dependent children;
2. A parent or guardian and dependent children; or
3. A married couple.

Family Self-Sufficiency - An economic standard that uses a combination of family members' income to determine whether the participant has the means to fund training services. Refer to OCWDB Self-Sufficiency Policy.

In-Demand Industry Sector - An industry sector that has a substantial current or potential impact (including through jobs that lead to economic self-sufficiency and opportunities for advancement) on the state, regional, and local economy, as appropriate, and that contributes

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to the growth or stability of other supporting businesses, or the growth of other industry sectors as listed in OCWDB Demand Occupation Criteria Policy.

In-Demand Occupation - An occupation that currently has, or is projected to have, positions (including positions that lead to economic self-sufficiency and opportunities for advancement) in an industry sector that has a significant impact on the state, regional, or local economy as listed in the OCWDB Demand Occupation Criteria Policy.

Individual Employment Plan (IEP) – An IEP is an individualized career service jointly developed by the participant and career planner that identifies the participant’s employment goals and determines service needed for the participant to reach the employment goals.

Individual Service Plan (ISP) – An individualized service plan jointly developed by the participant and career planner that identifies the youth’s need, educational and employment goals.

Intrastate Training Resource and Information Network (I-TRAIN) – The online, searchable database used by South Bay Workforce Investment Board (SBWIB) that includes the training program information (such as contact name, location, accessibility, accreditation, and availability of financial aid) for approved training programs in the Southern California region. (<https://wioa.i-train.org/>)

Local/Orange County ETPL – The training program list maintained by the ETPL Appointee that has been vetted and approved for use by OCWDB Service Providers.

Occupational Skills Training - An organized program of study that provides specific vocational skills that lead to proficiency in performing actual tasks and technical functions required by certain occupational fields at the entry, intermediate, or advanced level, and results in attainment of a recognized post-secondary credential.

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

1. Provides knowledge or skills essential to the full and adequate performance of the job;
2. Is made available through a program that provides reimbursement to the employer of up to 50 percent of the wage rate of the participant, except as provided in section 134(c)(3)(H) of WIOA, for the extraordinary costs of providing the training and additional supervision related to the training; and
3. Is limited in duration as appropriate to the occupation for which the participant is being trained, considering the content of the training, prior work experience of the participant, and the service strategy for the participant.

Priority Population - Individuals who have barriers to employment, are on public assistance, and who are basic skills deficient are given priority to receive individualized career services and training services. This priority must be consistent with priority of services for veterans and eligible spouses.

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Pre-Apprenticeship Skills Training - A program or set of strategies designed to prepare individuals to enter and succeed in a registered apprenticeship program and has a documented partnership (letter of commitment) with at least one, if not more, approved apprenticeship program(s). In California, the apprenticeship partner must be approved by the California Department of Industrial Relations, Division of Apprenticeship Standards (DIR/DAS). Such pre-apprenticeship programs must possess or develop a strong record of enrolling their pre-apprenticeship graduates into a registered apprenticeship program.

Policy & Procedures

Individual Training Accounts (ITA) are a training option made available to eligible participants when it is determined that it will be unlikely that the participant will be able to obtain or retain reemployment which leads to self-sufficiency or higher wages from previous employment through basic career services alone. An ITA is limited in cost and duration and must result in employment that leads to economic self-sufficiency or wages higher than those from previous employment. ITAs are not entitlements and shall be provided only to eligible participants on the basis of an individualized career assessment. Participants shall choose career training with Eligible Training Providers who are on the online database, I-TRAIN.

The Service Provider's Case Manager should refer the individual to the online database I-TRAIN for an eligible training program and coordinate payment with the training provider through an ITA. The ITA is a payment agreement established on behalf of a participant seeking training, to purchase training services from eligible training providers. Only those training providers that are on I-TRAIN and are approved for use of WIOA are able to redeem ITAs for payment. When participants select an eligible training provider, they are required to seek out providers who offer financial aid assistance to ensure best utilization of Workforce Innovation and Opportunity Act (WIOA) and other County program funds as applicable.

Eligibility for Training Services

To be eligible for training services, program staff must determine whether adult, dislocated worker, or out-of-school youth participants (ages 16 to 24) are appropriate for training services.

1. Evaluate Appropriateness to Receive Training Services
 - Determination of appropriateness should be done by completion of an interview, evaluation or assessment, and career planning in coordination with the IEP/ISP.
 - Assessments may include, but not be limited to:
 - A combination of standardized tests;
 - Inventory of participant's interests, skills assessment, career exploration; and
 - Available labor market information.
 - Training services may be provided to adults, dislocated workers, or youth who, after an interview, evaluation, or assessment and career planning, have been determined to:
 - Be unlikely or unable to obtain or retain employment that leads to economic self-sufficiency or wages comparable to or higher wages

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received from previous employment even after receiving WIOA career services;

- Be in need of training services to obtain or retain employment that leads to economic self-sufficiency or wages comparable to or higher than wages received from previous employment;
- Have the skills and qualifications to successfully participate in the selected training services programs;
- Select training services programs that are directly linked to employment opportunities in the local area or the planning region, or in another area to which adults, dislocated workers, or youth are willing to commute or relocate;
- If applicable, be a member of a worker group covered under a petition for Trade Adjustment Assistance (TAA) who are awaiting a determination; and
- Be determined eligible and are members of a priority population if training services are provided through adult program training services.

2. Informed Customer Choice

ITAs will be provided in a manner that maximizes informed consumer choice in selecting an Eligible Training Provider in accordance with the goals and objectives outlined in the participant's IEP/ISP. Service Provider staff assist customers with career choices; however, the ultimate decision rests with the customer. The career assessment should measure the participants job readiness, employment and training needs, financial, social and supportive needs, and potential for successful completion. Priority consideration shall be given to programs that lead to recognized postsecondary credentials that are aligned with in-demand industry sectors or occupations in the local area as identified through the use of Labor Market Index (LMI), local in-demand industries and local in-demand occupations.

After general eligibility documentation has been collected, a participant may be provided career services. If it is determined that a participant requires training in order to obtain employment, an initial and comprehensive assessment must be administered to determine that the participant's skill set is comparable to the level of completing training successfully. A second interview will take place to gather all required ITA and training documentation to justify financial assistance needs.

3. Determining Self-Sufficiency

- As part of the determination of the appropriateness for training services, the Service Provider must review "family self-sufficiency" for participants seeking an ITA. ITAs may only be approved for those who were determined during WIOA enrollment to be below the Self-Sufficiency standard.
- Out-of-school youth must also be screened for dependency status. Refer to OCWDB Dependent Status Policy for guidance on determining dependency status. If a youth is determined to be dependent, Self-Sufficiency would

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include the income(s) of all family members, including the youth's parent(s). Self-Sufficiency is determined during WIOA enrollment.

- WIOA eligible adults who are over the Self-Sufficiency standard are not eligible for ITAs. Other WIOA services may be provided, as appropriate. They may also be served using other WIOA funds, if eligible.

4. Extenuating Circumstances for WIOA Adult-Funded ITAs

- If a participant's family income exceeds the "Self-Sufficiency" standard, a participant may still receive an ITA if extenuating circumstances exist. When evaluating extenuating circumstances, the costs related to the economic hardship must be the responsibility of either that person or that of his or her legal dependent, spouse, or parent. Those costs must be ongoing and expected to cause a financial hardship for the duration of the ITA.
- Economic hardships include, but are not limited to:
 - The portion of medical procedure or prescription medication costs that are not covered by insurance and are ongoing and determined to be medically essential;
 - Health insurance premium payments that are not paid for by private or public sources;
 - Payments on past due or back mortgage, rent, or essential services (e.g., electric, water, natural gas, propane, and other utility arrearages) that accumulated because of involuntary unemployment or underemployment;
 - Court-ordered child support or spousal payments;
 - Ongoing payments to a nursing home, home health care provider, elder care provider, or assisted living provider; or
 - Payments toward debt that accumulated due to a natural disaster, severe illness, or disability.
- Extenuating circumstances do not include normal rent, mortgage, utility, automobile, fuel, grocery, credit card, or "pay-day loan" payments.
- Exceptions may be approved on a case-by-case basis for individuals whose family income exceeds the family self-sufficiency standard. Documentation explaining the extenuating circumstances must be maintained in the participant file, along with the approval from the Orange County Director of Workforce [and Economic Development](#).

When past income is an eligibility determinant for Federal employment or training programs, any amounts received as military pay or allowances by any person who served on active duty, and certain other specified benefits must be disregarded for the veteran and for other individuals for whom those amounts would normally be applied in making an eligibility determination. Military earnings are not to be included when calculating income for veterans or transitioning service members.

Coordinating ITAs with Other Sources of Funding

Funding for training is limited to participants who are either unable to obtain grant or financial assistance from other sources to pay the costs of their training; or those that require assistance

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beyond what is available under grant or financial assistance from other sources to pay the costs of such training. The Service Provider Case Manager will consider the availability of other sources of grants/funding to pay for training costs so that WIOA funding is used to supplement other financial sources including but not limited to other Federal, State, local, private job training programs, scholarships, financial assistance, Pell Grants, or TAA. In making the funding determination, the Service Provider Case Manager will take into account the full cost of participating in training services, including the cost of supportive services and other appropriate costs. The participant is required to submit documentation of the award and acceptance or denial of Federal, State, local, or private financial assistance to the Service Provider Case Manager during the eligibility determination period for training.

A participant may enroll in trainings that are funded by WIOA while an application for any financial aid is pending as long as the Service Provider has made arrangements for reimbursement with the training provider and the participant regarding allocation of any financial aid or other financial source, if it is subsequently awarded. In that case, the training provider must reimburse the Service Provider any funds used to underwrite a training for the amount covered by financial aid or other source, including any education fees the training provider charges to attend trainings. Should a student not complete a program for any reason, the standard refund policy of the training institution will be applied in accordance with the "Recovery of Tuition Funds" section.

Training benefits funded by the Veterans' Administration (VA) are not included in the category of "grant assistance from other sources" and eligible veterans and spouses are not required to coordinate their entitlement to those benefits, including the GI Bill, with their eligibility for trainings that are funded by WIOA. VA benefits for education and training services do not constitute "other grant assistance" under WIOA's eligibility requirements. Therefore, eligibility for VA benefits for education or training services do not preclude a veteran or the veteran's eligible spouse from receiving WIOA funded services, including training funds. Service Providers may not require veterans or spouses to exhaust their entitlement to VA funded training benefits prior to allowing them to enroll in WIOA funded training.

ITAs In Conjunction with On-the-Job Trainings (OJTs) or Registered Apprenticeship

ITAs may be provided to individuals in conjunction with On-the-Job Training (OJT) funds when appropriate, and the ITA may be used before or during. While registered apprenticeships automatically qualify to be on a State's ETPL, they may not always be listed because apprenticeship programs have the authority to decide if they want to be included or not. ITAs can be used for the following apprenticeship-related costs:

1. Tuition, books, and related for pre-apprenticeship training
2. Tuition, books and related for classroom training that is part of the apprenticeship

Duration of ITA

The duration of an ITA is determined by a participant's course of study. Short-term and long-term trainings for participants must be attainable. Short-term trainings are those completed in 12 months or less and are the preferred programs. Long-term trainings cannot exceed 24 months. Bachelor degree programs may be funded only if a participant can successfully document that he or she is in the last 2 years of a training program (e.g. remaining hours are

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equal to or less than 50 percent of the total credit hours required for the degree) and is in an in-demand occupation. The classroom training portion of the Registered Apprenticeship programs may be up to 4 years in length. Because of the benefits of a registered apprenticeship program, including an established career pathway and simultaneous employment, WIOA may fund the full length of the training.

When determining the length of a training, local areas must consider a participant's career pathway and the services necessary to achieve the participant's goal. For example, the classroom training portion of a Registered Apprenticeship program is typically longer than a year. This training is a part of a career pathway involving longer training and simultaneous employment for the apprentice.

If a participant is unable to complete the training program within the timeframe outlined in the ITA, the ITA may be extended. All exceptions must be approved prior to implementation of extension by the Orange County Director of Workforce **and Economic** Development. There are some instances when more time may be warranted, including but not limited to:

1. A participant's military service or military-related leave time;
2. Lack of availability of classes;
3. Cancellations of classes; or
4. Unforeseen illness of the participant or an immediate family member of the participant. For the purposes of this policy, immediate family members include the participant's parents (including step-parents), spouse, domestic partner, and children (including step-children or children who the participant has been awarded custody of through a court).

Participant Research and Physical Site Visit

Upon completion of an assessment and following the identification of the need for training, a participant shall conduct research on three training providers from I-TRAIN information available from Service Provider staff, and the internet.

The participant is required to complete a physical site visit at a minimum of one school to determine if the facilities are adequate and accessible. The participant must consider transportation, classroom setting, and if applicable, necessary accommodations for persons with disabilities.

If a training is online, the participant must have consistent access to a computer and any necessary equipment to complete the course. The case manager must document the reason for choosing an online course within case notes located in either CalJOBS, participant case notes, or in the program's monthly reports.

Financial Literacy

Any participants who are requesting training shall have completed either the FDIC Money Smart workshop or FDIC Money Smart Computer Based Training prior to receiving training.

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OCWDB Financial Literacy Policy provides additional guidance for implementing career services.

ITA Funding

Service Providers are allocated ITAs through budgeted line items within the contract. Budgets may increase or decrease based on system training needs and funding availability. It is the responsibility of the Service Providers to manage, track, and report ITA funding.

1. Cost Limitations

The cost limit for an ITA is ~~\$6,500~~10,000 for the lifetime of the participant. The maximum ITA limit is not an entitlement. The amount and duration of each participant's ITA award is determined on an individual basis. Funding amounts will consider the total costs of the selected training program, any other financial assistance available to the participant, and the funding provided by WIOA available to the Adult, Dislocated Worker, or Youth Programs.

The cost for ITAs are determined by the average cost of training for specific in-demand occupations within the local area as well as the following criteria:

- Whether the training investment is in line with the future expected earnings of the participant;
- Whether the training is being provided as part of the registered apprenticeship program; and
- Consideration of the full cost of participating in training services, including costs for fees and books, tuition, and other associated costs.

An adult, dislocated worker, or out-of-school youth participant may select a training that costs more than the maximum amount available for ITAs when other sources of funds are available to supplement the ITA.

2. Allowable Individual Training Account Costs

ITA expenditures are costs required by the training institution to complete the training. ITA costs required to complete the training may include, but are not limited to:

- Tuition and fees
- Books
- Tools
- Uniforms
- Tests
- Medical immunizations/tests

Supportive Services are necessary to the success of the ITA (e.g. transportation or childcare) and shall be provided to the participant as needed and not included in the cost of the ITA.

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ITA Authorization and Modifications

1. Individual Training Account Authorization
Service Providers shall use an ITA Authorization Form (Attachment I) to document eligibility. The form must be completed and uploaded into CalJOBS and noted within a case note on the program’s monthly report prior to the start date of training.

2. Individual Training Account Voucher
The Service Providers shall generate and execute an ITA Voucher (Attachment II) and document into CalJOBS and case notes on the program’s monthly report (whichever is most applicable) prior to the start date of the training. No ITA Voucher will be issued, approved, or paid retroactively for any participant previously enrolled in training by an I-TRAIN training provider, prior or concurrently to their enrollment into a WIOA/Non-WIOA program.

If a participant does not complete a training program listed on I-TRAIN, and within the next year, requests to re-enroll into the previous program or a new one, then the following conditions must be met in order to be approved for a new ITA:

- Participant has been determined eligible for training services by the Service Provider;
- Service Provider must request approval from the Orange County Director of Workforce and Economic Development. Request must be made in writing and should include supporting documentation.

It is the responsibility of the Service Providers to manage the documentation of authorization and obligation of allocated ITA funds in accordance to this policy.

3. Participant Training Agreement
The Service Provider is to collect a signed Participant Training Agreement (Attachment III) from each participant prior to starting the training program in order to document that the participant understands the expectations and requirements of the chosen training program. A copy must be maintained and uploaded to CalJOBS.

4. Waivers
Service Providers must request a waiver (Attachment IV) for the following situations prior to approving the ITA. All waivers must be submitted to the Orange County Director of Workforce and Economic Development for approval.
 - An ITA for a training program not in an in-demand occupation or industry sector;
 - An ITA cost greater than the pre-approved amount of ~~\$8,000~~10,000
 - An ITA longer than 24 months.

Approval from the OC Director of Workforce and Economic Development for any of the above situations must be obtained prior to implementing an ITA. Waiver

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approvals must be uploaded into CalJOBS and documented in the participant's case notes.

5. ITA Payment

OCWDB WIOA ITA participants are to be considered private-pay students. Service Providers are to pay the training provider prior to or upon the participant's first month of the training program. Service Providers are required to maintain the training program billing statement/invoice with the participant's ITA Voucher and, once the Service Provider has paid for the program, the receipt or proof of payment provided by the training institution. Service Providers are responsible for validation and payment of all invoices and documentation of participants' performance outcomes.

6. ITA Modifications, Voids, and Discontinuation

An ITA may be modified to ensure that a participant attains their educational goals and subsequent employment. An ITA modification occurs when there is a change to the ITA that affects the training program, training dates, and/or cost. An ITA requiring a cost change must have prior approval from the Service Provider Program Manager documented on the ITA Authorization Form. Upon approval, an amended ITA Voucher is executed with the training provider. Any modification to an ITA shall be documented on the Training ITA Authorization Form, ITA Voucher, participant case notes, and activity status updated in CalJOBS, as applicable.

An ITA Void occurs when a participant decides to forego training, does not start training, and does not incur costs. An ITA Discontinuation occurs after the participant starts training and incurs a cost. The Service Provider is responsible for understanding a training provider's refund policy and determining when a refund is due for early termination of a participant's training. The Service Provider is to complete the ITA Void/Discontinuation Form (Attachment V) when a void or discontinuation occurs with a participant. Any voids or discontinuations to an ITA shall be documented on the ITA Authorization Form, ITA Void/Discontinuation Form, participant case notes, and activity status updated in CalJOBS.

7. Recovery of Tuition Funds

In the event a participant discontinues training, the Service Provider must do due diligence to ensure the recovery of WIOA and non-WIOA funds provided to training institutions. Prior to placement in a training program, the Service Providers must verify the following:

- The refund policy of the training provider for early termination from the training program;
- A requirement for the training provider/participant to notify the case manager of early participant/student dropout;
- The amount and percentage of the advanced payment to be returned;
- Turnaround timeframe for the refund; and
- Time spent in training before a refund will no longer be honored.

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If it is determined that a refund is due, the Service Provider/participant will initiate the refund process with the training provider. Once the Service Provider recovers tuition funding from a training provider for an ITA expense that had been previously reimbursed by the County, the Service Provider will submit a refund in the form of a check to the County and include back-up documentation with the following information:

- Participant's name;
- Name of training program; and
- Copy of previous invoice that the training program was paid.

Service Providers are obligated to return all tuition refunds during and after the contract term within 60 days of notification of participant dropout/termination date.

8. ITA Obligation, Expenditure and Leverage Reporting

Each Service Provider shall be issued an allocation of funds which shall be monitored and tracked to ensure that authorized and obligated cost of ITA's do not exceed the allocated total. After authorization, the total cost of the ITA, the leveraged amounts, and expenditures shall be reported in a format directed by the County of Orange.

Service Provider Reimbursement

Service Provider reimbursement of ITAs shall be submitted to the County of Orange on the corresponding monthly invoice in which the training program was paid. County of Orange approval of payments are contingent on verification of documentation of payment (i.e. itemized receipt, ITA Authorization, ITA Voucher) and will be subject to a review of eligibility based on documentation. On a quarterly basis, Service Providers will reconcile, review, and report the results of ITA funding activities with Training Providers to the County of Orange.

Documentation

It is the responsibility of the Service Provider to track each participant monthly to ensure that the participant is receiving training throughout the duration of the course. For WIOA Service Providers that utilize CalJOBS, participant information must be scanned into CalJOBS system and kept in hard paper files with all other documentation for verification, monitoring, and audit purposes. ITA eligibility, availability of other grant funding, and the other requirements of this policy must be documented.

The following items are examples of the supporting documentation for ITAs:

1. Assessment results supporting the selected program of study. The assessment must support the need for training including a determination by a case manager that the participant will be unlikely or unable to obtain or retain employment that leads to self-sufficiency or higher wages from previous employment through career services alone; and that the selected program of study will result in employment leading to economic self-sufficiency or wages comparable to or higher than wages from previous employment;

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- 2. Completed IEP/ISP documenting the selected program of study, anticipated and actual start/end dates, and training outcomes;
- 3. Verification of scholarships, FAFSA, Pell, or TAA application and award status, if applicable;
- 4. Authorization of the ITA (Attachment I) and any approved increase modification;
- 5. Case note documenting that the selected training provider is on the Eligible Training Provider List;
- 6. ITA Voucher (Attachment II);
- 7. Participant Training Agreement (Attachment III);
- 8. Approved waiver (Attachment IV), if applicable;
- 9. ITA Void/Discontinuation Form (Attachment V), if applicable;
- 10. Documentation of the participant's progress and/or grades;
- 11. Documentation of certificates and/or degrees; and/or
- 12. Enrollment and updating of activity codes.

For Non-WIOA Service Providers, payment reimbursement approvals are subject to the access and availability of training documentation as outlined above.

Outcomes

Service Providers shall provide individualized job placement assistance no later than when the client reaches 75% of training completion to ensure that the training leads to unsubsidized employment in a related field. Activities shall be entered and updated into the CalJOBS system and/or within participant case notes as documented within monthly program reports. Service Providers are to report any relevant information pertaining to the training program that could affect current and future outcomes (dropouts, issues or discrepancies with the program, etc.) to their OCWDB Grants Manager. OCWDB will relay the information to South Bay WIB. Successful completion of training courses must lead to a recognized certificate/credential or equivalent, and attainment of unsubsidized employment.

Reporting Performance Outcomes

Enrollments, Cost Obligations, Expenditures, Refunds, Leverage, Completion Status, and Employment outcomes shall be tracked by the Service Provider and reported in a format outlined by the County of Orange.

ACTION

Bring this policy to the attention of all affected staff and all relevant parties.

INQUIRES

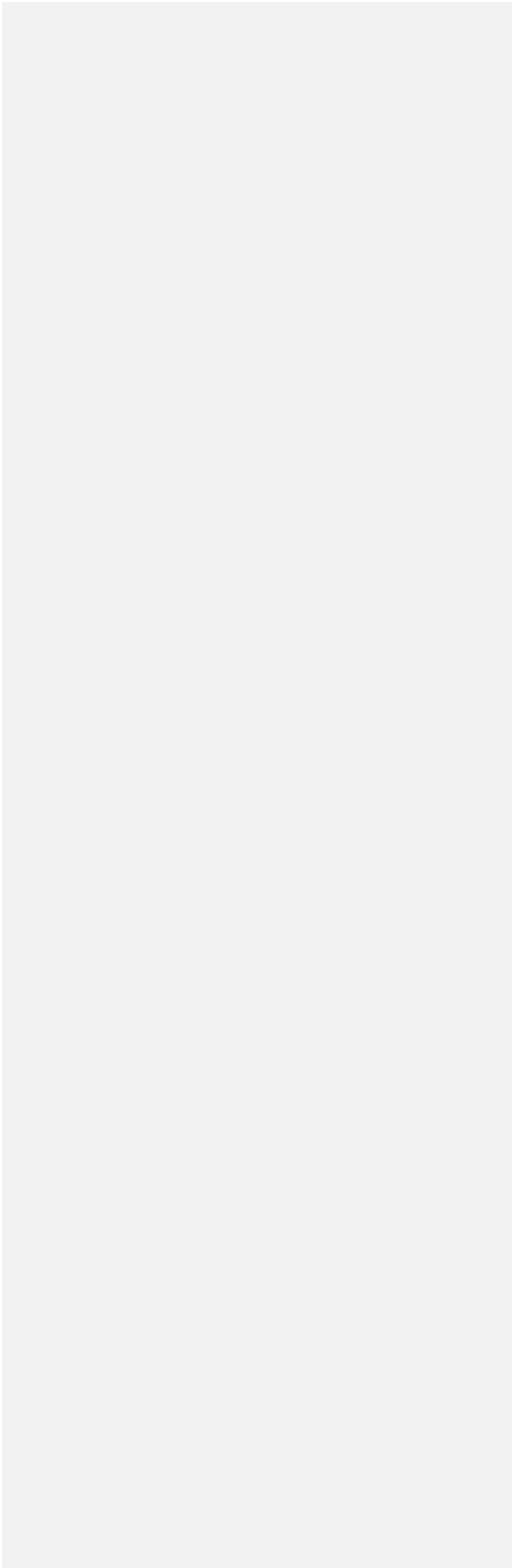
If you have any questions regarding this policy, please contact your Contract Administrator at (714) 480-6500.

ATTACHMENTS

- Attachment I: Individual Training Account Authorization Form
- Attachment II: Individual Training Account Voucher
- Attachment III: Individual Training Account Participant Agreement
- Attachment IV: Individual Training Account Waiver

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ATTACHMENT I

Individual Training Account
Authorization Form

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[Revised November 2023]



Individual Training Account Authorization

Participant Name	
WIOA Application Number	
Training Program	
Training Start Date	Training Completion Date
ITA Justification Summary	
IEP, ISP, and career assessment documents ITA eligibility	<ol style="list-style-type: none"> Without training, participant is unlikely to obtain or retain employment that leads to economic self-sufficiency or wages. Yes <input type="checkbox"/> No <input type="checkbox"/> The participant’s assessment determined the individual has the skills and qualifications to successfully participate in training? Yes <input type="checkbox"/> No <input type="checkbox"/> The training will result in a credential/certificate that will lead to employment in a demand occupation? Yes <input type="checkbox"/> No <input type="checkbox"/> The participant started/completed financial literacy training. Yes <input type="checkbox"/> No <input type="checkbox"/> <p>Additional Notes:</p>
Participant Verification	<ol style="list-style-type: none"> The participant researched at least three appropriate training programs listed on I-TRAIN. Yes <input type="checkbox"/> No <input type="checkbox"/> The participant conducted at least one site visit of the school. Yes <input type="checkbox"/> No <input type="checkbox"/> If the participant chooses an online program, the participant has reliable access to a computer and/or necessary equipment. Yes <input type="checkbox"/> No <input type="checkbox"/> <p>Additional Notes:</p>
Financial Assistance	<p>The participant is authorized for the ITA utilizing the following funding:</p> <p><input type="checkbox"/> Federal or state, describe:</p> <p><input type="checkbox"/> Private scholarships, describe:</p> <p><input type="checkbox"/> WIOA ITA</p> <p><input type="checkbox"/> Other</p>
Waivers	<p>Was a waiver obtained from the OC Director of Workforce Development for this ITA? Yes <input type="checkbox"/> No <input type="checkbox"/></p>
Modification, Void, or Discontinuation Notes	

Case Manager (Print)

Case Manager Signature

Date

Program Manager (Print)

Program Manager Signature

Date

ATTACHMENT II

**Individual Training Account
Voucher Form**

Individual Training Account Policy Information Notice No.23-OCWDB-05
[Revised November 2023]



OC Community Services

OC WORKFORCE DEVELOPMENT BOARD
Overseeing job seekers, youth and business programs and services.

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Individual Training Account Voucher

PARTICIPANT AND COURSE INFORMATION			
Participant		WIOA Application #	
Service		Grant Code	
Billing Address		City, State, Zip	
Phone		Manager Email	
Case Manager		Email	
I-TRAIN		Local Program	
Contact / Title		Email	
Facility Address		City, State, Zip Code	
Phone		Email	
Training Program Name		ETPL (State) Program Code	
Start Date	Projected End Date	Total Hours	Occupational Code
Anticipated Placement		Employer	
Comments / Benchmark Goals / Online			
TRAINING COSTS			
a) Total Training Costs	\$		
a.1) Tuition/Fee	\$		
a.2) Books	\$		
a.3) Tools	\$		
a.4) Other Costs	\$		
a.5) Other Cost Explanation			
FINANCIAL AID / COST ASSISTANCE			
b) Financial Aid Applicable	<input type="checkbox"/> Yes <input type="checkbox"/> No		
c) Financial Aid Type <i>(use comments below to identify other types of financial aid)</i>	<input type="checkbox"/> Pell Grant <input type="checkbox"/> Stafford Student Loan <input type="checkbox"/> School Academic Scholarship <input type="checkbox"/> School Athletic Scholarship <input type="checkbox"/> Other (i.e. school discounts/adjustments, personal loan, etc.)		
d) Total Financial Aid	\$		
e) Financial Aid Status	<input type="checkbox"/> Pending <input type="checkbox"/> Awarded <input type="checkbox"/> Void		
FINAL ITA OBLIGATION			
f) WIOA ITA Cost (a minus d)	\$		
g) Comments			

By signing and transmitting this ITA voucher, the undersigned certify that the information reflected herein are in accordance with all Federal, State, and local policies and as required by appropriate laws. Service Provider shall be responsible to pay Training Provider for costs identified above with the exception of any costs already paid for through Educational Assistance Grants and or loans. In the event the participant does not complete the enrolled course after payment, a refund will be owed to the Service Provider in accordance with Training Providers Refund Policy at the time of signing this voucher. Training provider agrees to provide progress reports and/or documentation of attendance and training completion, as requested by Service Provider.

_____ Print Name of Participant	_____ Participant Signature and Date
_____ Print Name of Case Manager	_____ Case Manager Signature and Date
_____ Print Name of Program Manager	_____ Program Manager Signature and Date
_____ Print Name and Title of Training Provider	_____ Training Provider Signature and Date

ATTACHMENT III

**Individual Training Account Participant
Training Agreement**

Individual Training Account Policy Information Notice No.23-OCWDB-05
[Revised November 2023]



PARTICIPANT TRAINING AGREEMENT

Participant Name:

You have been approved for Workforce Innovation and Opportunity Act (WIOA) Title I funding to assist with costs associated with the following employment-related training:

School	
Training Program	
Anticipated training start date	
Anticipated completion date	
Anticipated wage after program completion	

I, _____, agree with the following:

- I understand that continued WIOA tuition assistance is contingent on availability of WIOA funding and my satisfactory progress in school.
- I agree to seek employment upon completion of training and will notify my case manager immediately upon obtaining employment.
- I researched at least three training program options on I-TRAIN and completed at least one site visit. Name schools below.
 - 1.
 - 2.
 - 3.
- I completed labor market information and career planning research when selecting training program options.
- I have reviewed and will comply with the training institution’s attendance, withdrawal, and code of conduct policies.
- If I am taking an online training course, I have reliable access to a computer and any necessary equipment to complete the training.
- To ensure there is no duplication of tuition payment, I will provide my case manager with application results, including award letters from other funding sources, including, but not limited to: FAFSA, CalWORKS/TANF, CalFRESH/SNAP, GI Bill or other Federal financial aid available to military veterans, TAA, State-funded grants, scholarships, or private job training programs.
- I authorize _____ to release my educational records, including attendance, grades, transcripts and/or progress reports, financial awards, educational expenses, etc. to my case manager.
- I will strive to maintain, at a minimum, satisfactory progress which includes:



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- o A grade point average that does not fall below 2.0 for two consecutive terms; or
 - o A grade point average sufficient to graduate from, or receive certification in my approved area of study; or
 - o Sufficient credit hours to finish the approved course of study within the timeframe established under the approved training plan.
 - o In the case of self-paced or ungraded learning programs, satisfactory progress means participating in classes and passing certification examinations within the timeframe established under the approved training plan.
- I will submit copies of grades/progress reports to my case manager at agreed upon timeframes but prior to the start of the next training session.
 - I will maintain ongoing contact with my case manager as documented on my Individual Employment Plan/Individual Service Plan (IEP/ISP) but no less than once per month.
 - I will resolve issues with the training instructors and training institution directly. If I am unable to resolve them satisfactorily, I will contact my case manager for assistance.
 - I will notify my case manager immediately if issues or concerns arise that may impact my continued training participation or require a change to my training program/schedule.
 - I will notify my case manager immediately if I withdraw from the training program.
 - If I receive a refund check directly from the training institution, I will immediately return the check to my Service Provider/case manager.
 - I will notify my case manager immediately if my contact information changes.

I understand that failure to comply with the terms of this agreement may result in my termination from the WIOA program. I have read and agree to the conditions stated on this Participant Training Agreement. I received a copy of this agreement.

Participant Signature: _____

Date: _____

I have reviewed this Participant Training Agreement with the participant and witnessed his/her signature:

Case Manager Signature: _____

Date: _____

ATTACHMENT IV

Individual Training Account
Waiver Request

Individual Training Account Policy Information Notice No.23-OCWDB-05
[Revised November 2023]



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OC WORKFORCE DEVELOPMENT BOARD
Overseeing job seekers, youth and business programs and services.

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Individual Training Account Waiver Request

Under Orange County Workforce Development Board's Individual Training Account Policy, a Service Provider may request a waiver on behalf of a WIOA participant for the following situations prior to finalizing an ITA:

- 1. An ITA for a training program not in an in-demand occupation or industry sector
- 2. An ITA cost greater than ~~\$8,000~~10,000
- 3. An ITA longer than 24 months

Participant Name: _____

Training Program: _____

Training Dates: _____

This waiver request is being submitted for the following reason:

- Training program not in an in-demand occupation or industry sector
- Training program costs more than ~~\$8,000~~10,000
- Training is longer than 24 months

Justification for waiver: _____

The additional documentation is required to be included with this waiver request:

- 1. ITA Authorization Form
- 2. ITA Training Account Voucher
- 3. Training Program Information (brochure, flyer, I-TRAIN printouts), as applicable

Case Manager (Print)

Case Manager Signature

Date

Program Manager (Print)

Program Manager Signature

Date

County of Orange Use Only

OC Director of Workforce and Economic Development Approval: Yes No

Signature: _____

Date: _____

ATTACHMENT V

Individual Training Account
VOID/Discontinuation Form

Individual Training Account Policy Information Notice No.23-OCWDB-05
[Revised November 2023]



Individual Training Account VOID/Discontinuation Form

PARTICIPANT AND COURSE INFORMATION			
Participant Name		WIOA Application #	
Service Provider		Grant Code	
Billing Address		Phone	
Case Manager		Email	
I-TRAIN Provider		Local Program Code	
Contact / Title		Email	
Facility Address		Phone	
Training Program Name			ETPL (State) Program Code
Start Date	Projected End Date	Total Hours	Occupational Code
<input type="checkbox"/> VOID <input type="checkbox"/> DISCONTINUATION			
Reason for Void/Discontinuation			
Approved Final ITA Obligation	\$		
Amount Paid to Training Program by Service Provider	\$	Date Paid	
Training Program Refund Amount due to Service Provider	\$		

By signing this form, the undersigned certify that the information reflected herein are in accordance with all Federal, State, and local policies and as required by appropriate laws. Should the Service Provider have already paid for the training program, the Training Provider agrees to refund the above indicated amount in accordance with the Training Provider’s Refund Policy at the time of signing the ITA voucher.

Print Name of Participant	Participant Signature and Date
Print Name of Case Manager	Case Manager Signature and Date
Print Name of Program Manager	Program Manager Signature and Date
Print Name and Title of Training Provider	Training Provider Signature and Date



DYLAN WRIGHT
DIRECTOR
OC COMMUNITY RESOURCES

CYMANTHA ATKINSON
ASSISTANT DIRECTOR
OC COMMUNITY RESOURCES

JOANNE VEEDOR
DIRECTOR
ADMINISTRATIVE SERVICES

MONICA SCHMIDT
INTERIM DIRECTOR
OC ANIMAL CARE

JULIA BIDWELL
DIRECTOR
OC HOUSING & COMMUNITY
DEVELOPMENT

RENEE RAMIREZ
DIRECTOR
OC COMMUNITY SERVICES

PAMELA PASSOW
DIRECTOR
OC PARKS

JULIE QUILLMAN
COUNTY LIBRARIAN
OC PUBLIC LIBRARIES

OC Community Resources

Date: November 14, 2023
To: All WIOA Subrecipients of the Orange County Workforce Development Board
From: Nancy Cook
Director of Workforce and Economic Development
Subject: Individual Training Account (ITA) Policy
Information Notice No. 23-OCWDB-05
Supersedes Information Notices No. 21-OCWDB-05,
16-OCDB-05

PURPOSE

This policy is to identify the parameters of the Individual Training Account (ITA) and to standardize the delivery of ITAs through WIOA Title I program Service Providers and all other applicable providers who administer ITAs. Orange County Workforce Development Board (OCWDB) uses the online database, I-TRAIN, to list eligible training providers.

EFFECTIVE DATE

This notice is effective on the date of issuance.

REFERENCES

- Title I of the Workforce Innovation and Opportunity Act (WIOA) of 2014, Sections 108, 134(a)(3)(A)(xii), and 134(c)(3)
- Workforce Innovation and Opportunity Act §134, Pub. L. 113-128
- Jobs for Veterans Act, Pub. L. 107-288
- 20 C.F.R. Parts 675.300, 680.140(b)(6), 680.200-230, 680.300, 680.320-680.340, 680.420, 680.470, 680.600, 680.650-660, 681.480, and 683.500-683.510
- 29 U.S.C. 3101 et seq.
- 38 U.S.C. 4213
- USDOL, Training and Employment Guidance Letter (TEGL) 08-19, WIOA Title I Training Provider Eligibility and State List of Eligible Training Providers (ETPs) and Programs (January 2, 2020)
- USDOL, TEGL WIOA No. 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 Services (ES), as amended by Title III of WIOA, and for Implementation of the WIOA Final Rules, (March 1, 2017)



1300 SOUTH GRAND
BLDG. B, FIRST FLOOR
SANTA ANA, CA 92705
PHONE: 714.480.6500
FAX: 714.567-7132

Individual Training Account (ITA) Policy
Information Notice No. 23-OCWDB-05

- USDOL TEGL 13-16, Guidance on Registered Apprenticeship Provisions and Opportunities in the Workforce Innovation and Opportunity Act (WIOA), (January 12, 2017)
- EDD Workforce Services Directive No. WSD19-10, Directive on the Recovery of WIOA Tuition and Training Refunds (February 20, 2020)
- EDD Workforce Services Directive No. WSD21-03, Eligible Training Provider List (ETPL) Policy and Procedures (February 22, 2023)

BACKGROUND

The Workforce Innovation and Opportunity Act (WIOA) requires that training services are provided to all eligible Title I Adults, Dislocated Workers, Youth, and other program specific participants. In Orange County, an eligible training program is based on the State of California Eligible Training Provider List (ETPL) and I-TRAIN using Individual Training Accounts (ITAs). The intent is to maximize informed customer choice in the selection of qualified training providers. Once an eligible training selection is made using I-TRAIN, the case manager is expected to arrange for payment of services through an ITA. Use of I-TRAIN and an ITA is required for classroom training and may include apprenticeship training or other training options.

Definitions

Appropriateness - The possession of qualities that are right, needed, or suitable for training services.

Basic Skills Deficient - An individual who is unable to compute or solve problems, or read, write, or speak English, at a level necessary to function on the job, in the individual's family, or in society.

Eligible Training Provider - An entity that receives funding for training services through an ITA; must be included on the State of California Eligible Training Provider List (ETPL) and I-TRAIN and provide training services.

Family - Two or more persons related by blood, marriage (including same-sex marriages), or decree of court, who are living in a single residence and are included in one or more of the following categories:

1. A married couple and dependent children;
2. A parent or guardian and dependent children; or
3. A married couple.

Family Self-Sufficiency - An economic standard that uses a combination of family members' income to determine whether the participant has the means to fund training services. Refer to OCWDB Self-Sufficiency Policy.

In-Demand Industry Sector - An industry sector that has a substantial current or potential impact (including through jobs that lead to economic self-sufficiency and opportunities for advancement) on the state, regional, and local economy, as appropriate, and that contributes

Individual Training Account (ITA) Policy
Information Notice No. 23-OCWDB-05

to the growth or stability of other supporting businesses, or the growth of other industry sectors as listed in OCWDB Demand Occupation Criteria Policy.

In-Demand Occupation - An occupation that currently has, or is projected to have, positions (including positions that lead to economic self-sufficiency and opportunities for advancement) in an industry sector that has a significant impact on the state, regional, or local economy as listed in the OCWDB Demand Occupation Criteria Policy.

Individual Employment Plan (IEP) – An IEP is an individualized career service jointly developed by the participant and career planner that identifies the participant’s employment goals and determines service needed for the participant to reach the employment goals.

Individual Service Plan (ISP) – An individualized service plan jointly developed by the participant and career planner that identifies the youth’s need, educational and employment goals.

Intrastate Training Resource and Information Network (I-TRAIN) – The online, searchable database used by South Bay Workforce Investment Board (SBWIB) that includes the training program information (such as contact name, location, accessibility, accreditation, and availability of financial aid) for approved training programs in the Southern California region. (<https://wioa.i-train.org/>)

Local/Orange County ETPL – The training program list maintained by the ETPL Appointee that has been vetted and approved for use by OCWDB Service Providers.

Occupational Skills Training - An organized program of study that provides specific vocational skills that lead to proficiency in performing actual tasks and technical functions required by certain occupational fields at the entry, intermediate, or advanced level, and results in attainment of a recognized post-secondary credential.

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

1. Provides knowledge or skills essential to the full and adequate performance of the job;
2. Is made available through a program that provides reimbursement to the employer of up to 50 percent of the wage rate of the participant, except as provided in section 134(c)(3)(H) of WIOA, for the extraordinary costs of providing the training and additional supervision related to the training; and
3. Is limited in duration as appropriate to the occupation for which the participant is being trained, considering the content of the training, prior work experience of the participant, and the service strategy for the participant.

Priority Population - Individuals who have barriers to employment, are on public assistance, and who are basic skills deficient are given priority to receive individualized career services and training services. This priority must be consistent with priority of services for veterans and eligible spouses.

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Pre-Apprenticeship Skills Training - A program or set of strategies designed to prepare individuals to enter and succeed in a registered apprenticeship program and has a documented partnership (letter of commitment) with at least one, if not more, approved apprenticeship program(s). In California, the apprenticeship partner must be approved by the California Department of Industrial Relations, Division of Apprenticeship Standards (DIR/DAS). Such pre-apprenticeship programs must possess or develop a strong record of enrolling their pre-apprenticeship graduates into a registered apprenticeship program.

Policy & Procedures

Individual Training Accounts (ITA) are a training option made available to eligible participants when it is determined that it will be unlikely that the participant will be able to obtain or retain reemployment which leads to self-sufficiency or higher wages from previous employment through basic career services alone. An ITA is limited in cost and duration and must result in employment that leads to economic self-sufficiency or wages higher than those from previous employment. ITAs are not entitlements and shall be provided only to eligible participants on the basis of an individualized career assessment. Participants shall choose career training with Eligible Training Providers who are on the online database, I-TRAIN.

The Service Provider's Case Manager should refer the individual to the online database I-TRAIN for an eligible training program and coordinate payment with the training provider through an ITA. The ITA is a payment agreement established on behalf of a participant seeking training, to purchase training services from eligible training providers. Only those training providers that are on I-TRAIN and are approved for use of WIOA are able to redeem ITAs for payment. When participants select an eligible training provider, they are required to seek out providers who offer financial aid assistance to ensure best utilization of Workforce Innovation and Opportunity Act (WIOA) and other County program funds as applicable.

Eligibility for Training Services

To be eligible for training services, program staff must determine whether adult, dislocated worker, or out-of-school youth participants (ages 16 to 24) are appropriate for training services.

1. Evaluate Appropriateness to Receive Training Services

- Determination of appropriateness should be done by completion of an interview, evaluation or assessment, and career planning in coordination with the IEP/ISP.
- Assessments may include, but not be limited to:
 - A combination of standardized tests;
 - Inventory of participant's interests, skills assessment, career exploration; and
 - Available labor market information.
- Training services may be provided to adults, dislocated workers, or youth who, after an interview, evaluation, or assessment and career planning, have been determined to:
 - Be unlikely or unable to obtain or retain employment that leads to economic self-sufficiency or wages comparable to or higher wages

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received from previous employment even after receiving WIOA career services;

- Be in need of training services to obtain or retain employment that leads to economic self-sufficiency or wages comparable to or higher than wages received from previous employment;
- Have the skills and qualifications to successfully participate in the selected training services programs;
- Select training services programs that are directly linked to employment opportunities in the local area or the planning region, or in another area to which adults, dislocated workers, or youth are willing to commute or relocate;
- If applicable, be a member of a worker group covered under a petition for Trade Adjustment Assistance (TAA) who are awaiting a determination; and
- Be determined eligible and are members of a priority population if training services are provided through adult program training services.

2. Informed Customer Choice

ITAs will be provided in a manner that maximizes informed consumer choice in selecting an Eligible Training Provider in accordance with the goals and objectives outlined in the participant's IEP/ISP. Service Provider staff assist customers with career choices; however, the ultimate decision rests with the customer. The career assessment should measure the participants job readiness, employment and training needs, financial, social and supportive needs, and potential for successful completion. Priority consideration shall be given to programs that lead to recognized postsecondary credentials that are aligned with in-demand industry sectors or occupations in the local area as identified through the use of Labor Market Index (LMI), local in-demand industries and local in-demand occupations.

After general eligibility documentation has been collected, a participant may be provided career services. If it is determined that a participant requires training in order to obtain employment, an initial and comprehensive assessment must be administered to determine that the participant's skill set is comparable to the level of completing training successfully. A second interview will take place to gather all required ITA and training documentation to justify financial assistance needs.

3. Determining Self-Sufficiency

- As part of the determination of the appropriateness for training services, the Service Provider must review "family self-sufficiency" for participants seeking an ITA. ITAs may only be approved for those who were determined during WIOA enrollment to be below the Self-Sufficiency standard.
- Out-of-school youth must also be screened for dependency status. Refer to OCWDB Dependent Status Policy for guidance on determining dependency status. If a youth is determined to be dependent, Self-Sufficiency would

Individual Training Account (ITA) Policy
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include the income(s) of all family members, including the youth's parent(s). Self-Sufficiency is determined during WIOA enrollment.

- WIOA eligible adults who are over the Self-Sufficiency standard are not eligible for ITAs. Other WIOA services may be provided, as appropriate. They may also be served using other WIOA funds, if eligible.

4. Extenuating Circumstances for WIOA Adult-Funded ITAs

- If a participant's family income exceeds the "Self-Sufficiency" standard, a participant may still receive an ITA if extenuating circumstances exist. When evaluating extenuating circumstances, the costs related to the economic hardship must be the responsibility of either that person or that of his or her legal dependent, spouse, or parent. Those costs must be ongoing and expected to cause a financial hardship for the duration of the ITA.
- Economic hardships include, but are not limited to:
 - The portion of medical procedure or prescription medication costs that are not covered by insurance and are ongoing and determined to be medically essential;
 - Health insurance premium payments that are not paid for by private or public sources;
 - Payments on past due or back mortgage, rent, or essential services (e.g., electric, water, natural gas, propane, and other utility arrearages) that accumulated because of involuntary unemployment or underemployment;
 - Court-ordered child support or spousal payments;
 - Ongoing payments to a nursing home, home health care provider, elder care provider, or assisted living provider; or
 - Payments toward debt that accumulated due to a natural disaster, severe illness, or disability.
- Extenuating circumstances do not include normal rent, mortgage, utility, automobile, fuel, grocery, credit card, or "pay-day loan" payments.
- Exceptions may be approved on a case-by-case basis for individuals whose family income exceeds the family self-sufficiency standard. Documentation explaining the extenuating circumstances must be maintained in the participant file, along with the approval from the Orange County Director of Workforce and Economic Development.

When past income is an eligibility determinant for Federal employment or training programs, any amounts received as military pay or allowances by any person who served on active duty, and certain other specified benefits must be disregarded for the veteran and for other individuals for whom those amounts would normally be applied in making an eligibility determination. Military earnings are not to be included when calculating income for veterans or transitioning service members.

Coordinating ITAs with Other Sources of Funding

Funding for training is limited to participants who are either unable to obtain grant or financial assistance from other sources to pay the costs of their training; or those that require assistance

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beyond what is available under grant or financial assistance from other sources to pay the costs of such training. The Service Provider Case Manager will consider the availability of other sources of grants/funding to pay for training costs so that WIOA funding is used to supplement other financial sources including but not limited to other Federal, State, local, private job training programs, scholarships, financial assistance, Pell Grants, or TAA. In making the funding determination, the Service Provider Case Manager will take into account the full cost of participating in training services, including the cost of supportive services and other appropriate costs. The participant is required to submit documentation of the award and acceptance or denial of Federal, State, local, or private financial assistance to the Service Provider Case Manager during the eligibility determination period for training.

A participant may enroll in trainings that are funded by WIOA while an application for any financial aid is pending as long as the Service Provider has made arrangements for reimbursement with the training provider and the participant regarding allocation of any financial aid or other financial source, if it is subsequently awarded. In that case, the training provider must reimburse the Service Provider any funds used to underwrite a training for the amount covered by financial aid or other source, including any education fees the training provider charges to attend trainings. Should a student not complete a program for any reason, the standard refund policy of the training institution will be applied in accordance with the "Recovery of Tuition Funds" section.

Training benefits funded by the Veterans' Administration (VA) are not included in the category of "grant assistance from other sources" and eligible veterans and spouses are not required to coordinate their entitlement to those benefits, including the GI Bill, with their eligibility for trainings that are funded by WIOA. VA benefits for education and training services do not constitute "other grant assistance" under WIOA's eligibility requirements. Therefore, eligibility for VA benefits for education or training services do not preclude a veteran or the veteran's eligible spouse from receiving WIOA funded services, including training funds. Service Providers may not require veterans or spouses to exhaust their entitlement to VA funded training benefits prior to allowing them to enroll in WIOA funded training.

ITAs In Conjunction with On-the-Job Trainings (OJTs) or Registered Apprenticeship

ITAs may be provided to individuals in conjunction with On-the-Job Training (OJT) funds when appropriate, and the ITA may be used before or during. While registered apprenticeships automatically qualify to be on a State's ETPL, they may not always be listed because apprenticeship programs have the authority to decide if they want to be included or not. ITAs can be used for the following apprenticeship-related costs:

1. Tuition, books, and related for pre-apprenticeship training
2. Tuition, books and related for classroom training that is part of the apprenticeship

Duration of ITA

The duration of an ITA is determined by a participant's course of study. Short-term and long-term trainings for participants must be attainable. Short-term trainings are those completed in 12 months or less and are the preferred programs. Long-term trainings cannot exceed 24 months. Bachelor degree programs may be funded only if a participant can successfully document that he or she is in the last 2 years of a training program (e.g. remaining hours are

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equal to or less than 50 percent of the total credit hours required for the degree) and is in an in-demand occupation. The classroom training portion of the Registered Apprenticeship programs may be up to 4 years in length. Because of the benefits of a registered apprenticeship program, including an established career pathway and simultaneous employment, WIOA may fund the full length of the training.

When determining the length of a training, local areas must consider a participant's career pathway and the services necessary to achieve the participant's goal. For example, the classroom training portion of a Registered Apprenticeship program is typically longer than a year. This training is a part of a career pathway involving longer training and simultaneous employment for the apprentice.

If a participant is unable to complete the training program within the timeframe outlined in the ITA, the ITA may be extended. All exceptions must be approved prior to implementation of extension by the Orange County Director of Workforce and Economic Development. There are some instances when more time may be warranted, including but not limited to:

1. A participant's military service or military-related leave time;
2. Lack of availability of classes;
3. Cancellations of classes; or
4. Unforeseen illness of the participant or an immediate family member of the participant. For the purposes of this policy, immediate family members include the participant's parents (including step-parents), spouse, domestic partner, and children (including step-children or children who the participant has been awarded custody of through a court).

Participant Research and Physical Site Visit

Upon completion of an assessment and following the identification of the need for training, a participant shall conduct research on three training providers from I-TRAIN information available from Service Provider staff, and the internet.

The participant is required to complete a physical site visit at a minimum of one school to determine if the facilities are adequate and accessible. The participant must consider transportation, classroom setting, and if applicable, necessary accommodations for persons with disabilities.

If a training is online, the participant must have consistent access to a computer and any necessary equipment to complete the course. The case manager must document the reason for choosing an online course within case notes located in either CalJOBS, participant case notes, or in the program's monthly reports.

Financial Literacy

Any participants who are requesting training shall have completed either the FDIC Money Smart workshop or FDIC Money Smart Computer Based Training prior to receiving training.

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OCWDB Financial Literacy Policy provides additional guidance for implementing career services.

ITA Funding

Service Providers are allocated ITAs through budgeted line items within the contract. Budgets may increase or decrease based on system training needs and funding availability. It is the responsibility of the Service Providers to manage, track, and report ITA funding.

1. Cost Limitations

The cost limit for an ITA is \$10,000 for the lifetime of the participant. The maximum ITA limit is not an entitlement. The amount and duration of each participant's ITA award is determined on an individual basis. Funding amounts will consider the total costs of the selected training program, any other financial assistance available to the participant, and the funding provided by WIOA available to the Adult, Dislocated Worker, or Youth Programs.

The cost for ITAs are determined by the average cost of training for specific in-demand occupations within the local area as well as the following criteria:

- Whether the training investment is in line with the future expected earnings of the participant;
- Whether the training is being provided as part of the registered apprenticeship program; and
- Consideration of the full cost of participating in training services, including costs for fees and books, tuition, and other associated costs.

An adult, dislocated worker, or out-of-school youth participant may select a training that costs more than the maximum amount available for ITAs when other sources of funds are available to supplement the ITA.

2. Allowable Individual Training Account Costs

ITA expenditures are costs required by the training institution to complete the training. ITA costs required to complete the training may include, but are not limited to:

- Tuition and fees
- Books
- Tools
- Uniforms
- Tests
- Medical immunizations/tests

Supportive Services are necessary to the success of the ITA (e.g. transportation or childcare) and shall be provided to the participant as needed and not included in the cost of the ITA.

Individual Training Account (ITA) Policy
Information Notice No. 23-OCWDB-05

ITA Authorization and Modifications

1. Individual Training Account Authorization

Service Providers shall use an ITA Authorization Form (Attachment I) to document eligibility. The form must be completed and uploaded into CalJOBS and noted within a case note on the program's monthly report prior to the start date of training.

2. Individual Training Account Voucher

The Service Providers shall generate and execute an ITA Voucher (Attachment II) and document into CalJOBS and case notes on the program's monthly report (whichever is most applicable) prior to the start date of the training. No ITA Voucher will be issued, approved, or paid retroactively for any participant previously enrolled in training by an I-TRAIN training provider, prior or concurrently to their enrollment into a WIOA/Non-WIOA program.

If a participant does not complete a training program listed on I-TRAIN, and within the next year, requests to re-enroll into the previous program or a new one, then the following conditions must be met in order to be approved for a new ITA:

- Participant has been determined eligible for training services by the Service Provider;
- Service Provider must request approval from the Orange County Director of Workforce and Economic Development. Request must be made in writing and should include supporting documentation.

It is the responsibility of the Service Providers to manage the documentation of authorization and obligation of allocated ITA funds in accordance to this policy.

3. Participant Training Agreement

The Service Provider is to collect a signed Participant Training Agreement (Attachment III) from each participant prior to starting the training program in order to document that the participant understands the expectations and requirements of the chosen training program. A copy must be maintained and uploaded to CalJOBS.

4. Waivers

Service Providers must request a waiver (Attachment IV) for the following situations prior to approving the ITA. All waivers must be submitted to the Orange County Director of Workforce and Economic Development for approval.

- An ITA for a training program not in an in-demand occupation or industry sector;
- An ITA cost greater than the pre-approved amount of \$10,000
- An ITA longer than 24 months.

Approval from the OC Director of Workforce and Economic Development for any of the above situations must be obtained prior to implementing an ITA. Waiver

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approvals must be uploaded into CalJOBS and documented in the participant's case notes.

5. ITA Payment

OCWDB WIOA ITA participants are to be considered private-pay students. Service Providers are to pay the training provider prior to or upon the participant's first month of the training program. Service Providers are required to maintain the training program billing statement/invoice with the participant's ITA Voucher and, once the Service Provider has paid for the program, the receipt or proof of payment provided by the training institution. Service Providers are responsible for validation and payment of all invoices and documentation of participants' performance outcomes.

6. ITA Modifications, Voids, and Discontinuation

An ITA may be modified to ensure that a participant attains their educational goals and subsequent employment. An ITA modification occurs when there is a change to the ITA that affects the training program, training dates, and/or cost. An ITA requiring a cost change must have prior approval from the Service Provider Program Manager documented on the ITA Authorization Form. Upon approval, an amended ITA Voucher is executed with the training provider. Any modification to an ITA shall be documented on the Training ITA Authorization Form, ITA Voucher, participant case notes, and activity status updated in CalJOBS, as applicable.

An ITA Void occurs when a participant decides to forego training, does not start training, and does not incur costs. An ITA Discontinuation occurs after the participant starts training and incurs a cost. The Service Provider is responsible for understanding a training provider's refund policy and determining when a refund is due for early termination of a participant's training. The Service Provider is to complete the ITA Void/Discontinuation Form (Attachment V) when a void or discontinuation occurs with a participant. Any voids or discontinuations to an ITA shall be documented on the ITA Authorization Form, ITA Void/Discontinuation Form, participant case notes, and activity status updated in CalJOBS.

7. Recovery of Tuition Funds

In the event a participant discontinues training, the Service Provider must do due diligence to ensure the recovery of WIOA and non-WIOA funds provided to training institutions. Prior to placement in a training program, the Service Providers must verify the following:

- The refund policy of the training provider for early termination from the training program;
- A requirement for the training provider/participant to notify the case manager of early participant/student dropout;
- The amount and percentage of the advanced payment to be returned;
- Turnaround timeframe for the refund; and
- Time spent in training before a refund will no longer be honored.

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If it is determined that a refund is due, the Service Provider/participant will initiate the refund process with the training provider. Once the Service Provider recovers tuition funding from a training provider for an ITA expense that had been previously reimbursed by the County, the Service Provider will submit a refund in the form of a check to the County and include back-up documentation with the following information:

- Participant's name;
- Name of training program; and
- Copy of previous invoice that the training program was paid.

Service Providers are obligated to return all tuition refunds during and after the contract term within 60 days of notification of participant dropout/termination date.

8. ITA Obligation, Expenditure and Leverage Reporting

Each Service Provider shall be issued an allocation of funds which shall be monitored and tracked to ensure that authorized and obligated cost of ITA's do not exceed the allocated total. After authorization, the total cost of the ITA, the leveraged amounts, and expenditures shall be reported in a format directed by the County of Orange.

Service Provider Reimbursement

Service Provider reimbursement of ITAs shall be submitted to the County of Orange on the corresponding monthly invoice in which the training program was paid. County of Orange approval of payments are contingent on verification of documentation of payment (i.e. itemized receipt, ITA Authorization, ITA Voucher) and will be subject to a review of eligibility based on documentation. On a quarterly basis, Service Providers will reconcile, review, and report the results of ITA funding activities with Training Providers to the County of Orange.

Documentation

It is the responsibility of the Service Provider to track each participant monthly to ensure that the participant is receiving training throughout the duration of the course. For WIOA Service Providers that utilize CalJOBS, participant information must be scanned into CalJOBS system and kept in hard paper files with all other documentation for verification, monitoring, and audit purposes. ITA eligibility, availability of other grant funding, and the other requirements of this policy must be documented.

The following items are examples of the supporting documentation for ITAs:

1. Assessment results supporting the selected program of study. The assessment must support the need for training including a determination by a case manager that the participant will be unlikely or unable to obtain or retain employment that leads to self-sufficiency or higher wages from previous employment through career services alone; and that the selected program of study will result in employment leading to economic self-sufficiency or wages comparable to or higher than wages from previous employment;

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- 2. Completed IEP/ISP documenting the selected program of study, anticipated and actual start/end dates, and training outcomes;
- 3. Verification of scholarships, FAFSA, Pell, or TAA application and award status, if applicable;
- 4. Authorization of the ITA (Attachment I) and any approved increase modification;
- 5. Case note documenting that the selected training provider is on the Eligible Training Provider List;
- 6. ITA Voucher (Attachment II);
- 7. Participant Training Agreement (Attachment III);
- 8. Approved waiver (Attachment IV), if applicable;
- 9. ITA Void/Discontinuation Form (Attachment V), if applicable;
- 10. Documentation of the participant’s progress and/or grades;
- 11. Documentation of certificates and/or degrees; and/or
- 12. Enrollment and updating of activity codes.

For Non-WIOA Service Providers, payment reimbursement approvals are subject to the access and availability of training documentation as outlined above.

Outcomes

Service Providers shall provide individualized job placement assistance no later than when the client reaches 75% of training completion to ensure that the training leads to unsubsidized employment in a related field. Activities shall be entered and updated into the CalJOBS system and/or within participant case notes as documented within monthly program reports. Service Providers are to report any relevant information pertaining to the training program that could affect current and future outcomes (dropouts, issues or discrepancies with the program, etc.) to their OCWDB Grants Manager. OCWDB will relay the information to South Bay WIB. Successful completion of training courses must lead to a recognized certificate/credential or equivalent, and attainment of unsubsidized employment.

Reporting Performance Outcomes

Enrollments, Cost Obligations, Expenditures, Refunds, Leverage, Completion Status, and Employment outcomes shall be tracked by the Service Provider and reported in a format outlined by the County of Orange.

ACTION

Bring this policy to the attention of all affected staff and all relevant parties.

INQUIRES

If you have any questions regarding this policy, please contact your Contract Administrator at (714) 480-6500.

ATTACHMENTS

- Attachment I: Individual Training Account Authorization Form
- Attachment II: Individual Training Account Voucher
- Attachment III: Individual Training Account Participant Agreement
- Attachment IV: Individual Training Account Waiver

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Attachment V: Individual Training Account Void/Discontinuation Form



DYLAN WRIGHT
DIRECTOR
OC COMMUNITY RESOURCES

CYMANTHA ATKINSON
ASSISTANT DIRECTOR
OC COMMUNITY RESOURCES

~~JULIE LYONS/JOANNE VEEDOR~~
DIRECTOR
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MONICA SCHMIDT
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JULIA BIDWELL
DIRECTOR
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DEVELOPMENT

RENEE RAMIREZ
DIRECTOR
OC COMMUNITY SERVICES

PAMELA PASSOW
DIRECTOR
OC PARKS

JULIE QUILLMAN
COUNTY LIBRARIAN
OC PUBLIC LIBRARIES

OC Community Resources

Date: ~~October 25~~November XX, 2023
To: All WIOA Subrecipients of the Orange County Workforce Development Board
From: Nancy Cook
Director of Workforce and Economic Development
Subject: Individual Training Account (ITA) Policy
Information Notice No. 23-OCWDB-05
Supersedes Information Notices No. 21-OCWDB-05, 16-OCDB-05

PURPOSE

This policy is to identify the parameters of the Individual Training Account (ITA) and to standardize the delivery of ITAs through WIOA Title I program Service Providers and all other applicable providers who administer ITAs. Orange County Workforce Development Board (OCWDB) uses the online database, I-TRAIN, to list eligible training providers.

EFFECTIVE DATE

This notice is effective on the date of issuance.

REFERENCES

- Title I of the Workforce Innovation and Opportunity Act (WIOA) of 2014, Sections 108, 134(a)(3)(A)(xii), and 134(c)(3)
- Workforce Innovation and Opportunity Act §134, Pub. L. 113-128
- Jobs for Veterans Act, Pub. L. 107-288
- 20 C.F.R. Parts 675.300, 680.140(b)(6), 680.200-230, 680.300, 680.320-680.340, 680.420, 680.470, 680.600, 680.650-660, 681.480, and 683.500-683.510
- 29 U.S.C. 3101 et seq.
- 38 U.S.C. 4213
- USDOL, Training and Employment Guidance Letter (TEGL) 08-19, WIOA Title I Training Provider Eligibility and State List of Eligible Training Providers (ETPs) and Programs (January 2, 2020)
- USDOL, TEGL WIOA No. 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 Services (ES), as amended by Title III of WIOA, and for Implementation of the WIOA Final Rules, (March 1, 2017)

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1300 SOUTH GRAND
BLDG. B, FIRST FLOOR
SANTA ANA, CA 92705
PHONE: 714.480.6500
FAX: 714.567-7132

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- USDOL TEGL 13-16, Guidance on Registered Apprenticeship Provisions and Opportunities in the Workforce Innovation and Opportunity Act (WIOA), (January 12, 2017)
- EDD Workforce Services Directive No. WSD19-10, Directive on the Recovery of WIOA Tuition and Training Refunds (February 20, 2020)
- EDD Workforce Services Directive No. WSD21-03, Eligible Training Provider List (ETPL) Policy and Procedures (February 22, 2023)

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BACKGROUND

The Workforce Innovation and Opportunity Act (WIOA) requires that training services are provided to all eligible Title I Adults, Dislocated Workers, Youth, and other program specific participants. In Orange County, an eligible training program is based on the State of California Eligible Training Provider List (ETPL) and I-TRAIN using Individual Training Accounts (ITAs). The intent is to maximize informed customer choice in the selection of qualified training providers. Once an eligible training selection is made using I-TRAIN, the case manager is expected to arrange for payment of services through an ITA. Use of I-TRAIN and an ITA is required for classroom training and may include apprenticeship training or other training options.

Definitions

Appropriateness - The possession of qualities that are right, needed, or suitable for training services.

Basic Skills Deficient - An individual who is unable to compute or solve problems, or read, write, or speak English, at a level necessary to function on the job, in the individual's family, or in society.

Eligible Training Provider - An entity that receives funding for training services through an ITA; must be included on the State of California Eligible Training Provider List (ETPL) and I-TRAIN and provide training services.

Family - Two or more persons related by blood, marriage (including same-sex marriages), or decree of court, who are living in a single residence and are included in one or more of the following categories:

1. A married couple and dependent children;
2. A parent or guardian and dependent children; or
3. A married couple.

Family Self-Sufficiency - An economic standard that uses a combination of family members' income to determine whether the participant has the means to fund training services. Refer to OCWDB Self-Sufficiency Policy.

In-Demand Industry Sector - An industry sector that has a substantial current or potential impact (including through jobs that lead to economic self-sufficiency and opportunities for advancement) on the state, regional, and local economy, as appropriate, and that contributes

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to the growth or stability of other supporting businesses, or the growth of other industry sectors as listed in OCWDB Demand Occupation Criteria Policy.

In-Demand Occupation - An occupation that currently has, or is projected to have, positions (including positions that lead to economic self-sufficiency and opportunities for advancement) in an industry sector that has a significant impact on the state, regional, or local economy as listed in the OCWDB Demand Occupation Criteria Policy.

Individual Employment Plan (IEP) – An IEP is an individualized career service jointly developed by the participant and career planner that identifies the participant’s employment goals and determines service needed for the participant to reach the employment goals.

Individual Service Plan (ISP) – An individualized service plan jointly developed by the participant and career planner that identifies the youth’s need, educational and employment goals.

Intrastate Training Resource and Information Network (I-TRAIN) – The online, searchable database used by South Bay Workforce Investment Board (SBWIB) that includes the training program information (such as contact name, location, accessibility, accreditation, and availability of financial aid) for approved training programs in the Southern California region. (<https://wioa.i-train.org/>)

Local/Orange County ETPL – The training program list maintained by the ETPL Appointee that has been vetted and approved for use by OCWDB Service Providers.

Occupational Skills Training - An organized program of study that provides specific vocational skills that lead to proficiency in performing actual tasks and technical functions required by certain occupational fields at the entry, intermediate, or advanced level, and results in attainment of a recognized post-secondary credential.

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

1. Provides knowledge or skills essential to the full and adequate performance of the job;
2. Is made available through a program that provides reimbursement to the employer of up to 50 percent of the wage rate of the participant, except as provided in section 134(c)(3)(H) of WIOA, for the extraordinary costs of providing the training and additional supervision related to the training; and
3. Is limited in duration as appropriate to the occupation for which the participant is being trained, considering the content of the training, prior work experience of the participant, and the service strategy for the participant.

Priority Population - Individuals who have barriers to employment, are on public assistance, and who are basic skills deficient are given priority to receive individualized career services and training services. This priority must be consistent with priority of services for veterans and eligible spouses.

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Pre-Apprenticeship Skills Training - A program or set of strategies designed to prepare individuals to enter and succeed in a registered apprenticeship program and has a documented partnership (letter of commitment) with at least one, if not more, approved apprenticeship program(s). In California, the apprenticeship partner must be approved by the California Department of Industrial Relations, Division of Apprenticeship Standards (DIR/DAS). Such pre-apprenticeship programs must possess or develop a strong record of enrolling their pre-apprenticeship graduates into a registered apprenticeship program.

Policy & Procedures

Individual Training Accounts (ITA) are a training option made available to eligible participants when it is determined that it will be unlikely that the participant will be able to obtain or retain reemployment which leads to self-sufficiency or higher wages from previous employment through basic career services alone. An ITA is limited in cost and duration and must result in employment that leads to economic self-sufficiency or wages higher than those from previous employment. ITAs are not entitlements and shall be provided only to eligible participants on the basis of an individualized career assessment. Participants shall choose career training with Eligible Training Providers who are on the online database, I-TRAIN.

The Service Provider's Case Manager should refer the individual to the online database I-TRAIN for an eligible training program and coordinate payment with the training provider through an ITA. The ITA is a payment agreement established on behalf of a participant seeking training, to purchase training services from eligible training providers. Only those training providers that are on I-TRAIN and are approved for use of WIOA are able to redeem ITAs for payment. When participants select an eligible training provider, they are required to seek out providers who offer financial aid assistance to ensure best utilization of Workforce Innovation and Opportunity Act (WIOA) and other County program funds as applicable.

Eligibility for Training Services

To be eligible for training services, program staff must determine whether adult, dislocated worker, or out-of-school youth participants (ages 16 to 24) are appropriate for training services.

1. Evaluate Appropriateness to Receive Training Services

- Determination of appropriateness should be done by completion of an interview, evaluation or assessment, and career planning in coordination with the IEP/ISP.
- Assessments may include, but not be limited to:
 - A combination of standardized tests;
 - Inventory of participant's interests, skills assessment, career exploration; and
 - Available labor market information.
- Training services may be provided to adults, dislocated workers, or youth who, after an interview, evaluation, or assessment and career planning, have been determined to:
 - Be unlikely or unable to obtain or retain employment that leads to economic self-sufficiency or wages comparable to or higher wages

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received from previous employment even after receiving WIOA career services;

- Be in need of training services to obtain or retain employment that leads to economic self-sufficiency or wages comparable to or higher than wages received from previous employment;
- Have the skills and qualifications to successfully participate in the selected training services programs;
- Select training services programs that are directly linked to employment opportunities in the local area or the planning region, or in another area to which adults, dislocated workers, or youth are willing to commute or relocate;
- If applicable, be a member of a worker group covered under a petition for Trade Adjustment Assistance (TAA) who are awaiting a determination; and
- Be determined eligible and are members of a priority population if training services are provided through adult program training services.

2. Informed Customer Choice

ITAs will be provided in a manner that maximizes informed consumer choice in selecting an Eligible Training Provider in accordance with the goals and objectives outlined in the participant's IEP/ISP. Service Provider staff assist customers with career choices; however, the ultimate decision rests with the customer. The career assessment should measure the participants job readiness, employment and training needs, financial, social and supportive needs, and potential for successful completion. Priority consideration shall be given to programs that lead to recognized postsecondary credentials that are aligned with in-demand industry sectors or occupations in the local area as identified through the use of Labor Market Index (LMI), local in-demand industries and local in-demand occupations.

After general eligibility documentation has been collected, a participant may be provided career services. If it is determined that a participant requires training in order to obtain employment, an initial and comprehensive assessment must be administered to determine that the participant's skill set is comparable to the level of completing training successfully. A second interview will take place to gather all required ITA and training documentation to justify financial assistance needs.

3. Determining Self-Sufficiency

- As part of the determination of the appropriateness for training services, the Service Provider must review "family self-sufficiency" for participants seeking an ITA. ITAs may only be approved for those who were determined during WIOA enrollment to be below the Self-Sufficiency standard.
- Out-of-school youth must also be screened for dependency status. Refer to OCWDB Dependent Status Policy for guidance on determining dependency status. If a youth is determined to be dependent, Self-Sufficiency would

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include the income(s) of all family members, including the youth's parent(s). Self-Sufficiency is determined during WIOA enrollment.

- WIOA eligible adults who are over the Self-Sufficiency standard are not eligible for ITAs. Other WIOA services may be provided, as appropriate. They may also be served using other WIOA funds, if eligible.

4. Extenuating Circumstances for WIOA Adult-Funded ITAs

- If a participant's family income exceeds the "Self-Sufficiency" standard, a participant may still receive an ITA if extenuating circumstances exist. When evaluating extenuating circumstances, the costs related to the economic hardship must be the responsibility of either that person or that of his or her legal dependent, spouse, or parent. Those costs must be ongoing and expected to cause a financial hardship for the duration of the ITA.
- Economic hardships include, but are not limited to:
 - The portion of medical procedure or prescription medication costs that are not covered by insurance and are ongoing and determined to be medically essential;
 - Health insurance premium payments that are not paid for by private or public sources;
 - Payments on past due or back mortgage, rent, or essential services (e.g., electric, water, natural gas, propane, and other utility arrearages) that accumulated because of involuntary unemployment or underemployment;
 - Court-ordered child support or spousal payments;
 - Ongoing payments to a nursing home, home health care provider, elder care provider, or assisted living provider; or
 - Payments toward debt that accumulated due to a natural disaster, severe illness, or disability.
- Extenuating circumstances do not include normal rent, mortgage, utility, automobile, fuel, grocery, credit card, or "pay-day loan" payments.
- Exceptions may be approved on a case-by-case basis for individuals whose family income exceeds the family self-sufficiency standard. Documentation explaining the extenuating circumstances must be maintained in the participant file, along with the approval from the Orange County Director of Workforce [and Economic Development](#).

When past income is an eligibility determinant for Federal employment or training programs, any amounts received as military pay or allowances by any person who served on active duty, and certain other specified benefits must be disregarded for the veteran and for other individuals for whom those amounts would normally be applied in making an eligibility determination. Military earnings are not to be included when calculating income for veterans or transitioning service members.

Coordinating ITAs with Other Sources of Funding

Funding for training is limited to participants who are either unable to obtain grant or financial assistance from other sources to pay the costs of their training; or those that require assistance

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beyond what is available under grant or financial assistance from other sources to pay the costs of such training. The Service Provider Case Manager will consider the availability of other sources of grants/funding to pay for training costs so that WIOA funding is used to supplement other financial sources including but not limited to other Federal, State, local, private job training programs, scholarships, financial assistance, Pell Grants, or TAA. In making the funding determination, the Service Provider Case Manager will take into account the full cost of participating in training services, including the cost of supportive services and other appropriate costs. The participant is required to submit documentation of the award and acceptance or denial of Federal, State, local, or private financial assistance to the Service Provider Case Manager during the eligibility determination period for training.

A participant may enroll in trainings that are funded by WIOA while an application for any financial aid is pending as long as the Service Provider has made arrangements for reimbursement with the training provider and the participant regarding allocation of any financial aid or other financial source, if it is subsequently awarded. In that case, the training provider must reimburse the Service Provider any funds used to underwrite a training for the amount covered by financial aid or other source, including any education fees the training provider charges to attend trainings. Should a student not complete a program for any reason, the standard refund policy of the training institution will be applied in accordance with the "Recovery of Tuition Funds" section.

Training benefits funded by the Veterans' Administration (VA) are not included in the category of "grant assistance from other sources" and eligible veterans and spouses are not required to coordinate their entitlement to those benefits, including the GI Bill, with their eligibility for trainings that are funded by WIOA. VA benefits for education and training services do not constitute "other grant assistance" under WIOA's eligibility requirements. Therefore, eligibility for VA benefits for education or training services do not preclude a veteran or the veteran's eligible spouse from receiving WIOA funded services, including training funds. Service Providers may not require veterans or spouses to exhaust their entitlement to VA funded training benefits prior to allowing them to enroll in WIOA funded training.

ITAs In Conjunction with On-the-Job Trainings (OJTs) or Registered Apprenticeship

ITAs may be provided to individuals in conjunction with On-the-Job Training (OJT) funds when appropriate, and the ITA may be used before or during. While registered apprenticeships automatically qualify to be on a State's ETPL, they may not always be listed because apprenticeship programs have the authority to decide if they want to be included or not. ITAs can be used for the following apprenticeship-related costs:

1. Tuition, books, and related for pre-apprenticeship training
2. Tuition, books and related for classroom training that is part of the apprenticeship

Duration of ITA

The duration of an ITA is determined by a participant's course of study. Short-term and long-term trainings for participants must be attainable. Short-term trainings are those completed in 12 months or less and are the preferred programs. Long-term trainings cannot exceed 24 months. Bachelor degree programs may be funded only if a participant can successfully document that he or she is in the last 2 years of a training program (e.g. remaining hours are

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equal to or less than 50 percent of the total credit hours required for the degree) and is in an in-demand occupation. The classroom training portion of the Registered Apprenticeship programs may be up to 4 years in length. Because of the benefits of a registered apprenticeship program, including an established career pathway and simultaneous employment, WIOA may fund the full length of the training.

When determining the length of a training, local areas must consider a participant's career pathway and the services necessary to achieve the participant's goal. For example, the classroom training portion of a Registered Apprenticeship program is typically longer than a year. This training is a part of a career pathway involving longer training and simultaneous employment for the apprentice.

If a participant is unable to complete the training program within the timeframe outlined in the ITA, the ITA may be extended. All exceptions must be approved prior to implementation of extension by the Orange County Director of Workforce **and Economic** Development. There are some instances when more time may be warranted, including but not limited to:

1. A participant's military service or military-related leave time;
2. Lack of availability of classes;
3. Cancellations of classes; or
4. Unforeseen illness of the participant or an immediate family member of the participant. For the purposes of this policy, immediate family members include the participant's parents (including step-parents), spouse, domestic partner, and children (including step-children or children who the participant has been awarded custody of through a court).

Participant Research and Physical Site Visit

Upon completion of an assessment and following the identification of the need for training, a participant shall conduct research on three training providers from I-TRAIN information available from Service Provider staff, and the internet.

The participant is required to complete a physical site visit at a minimum of one school to determine if the facilities are adequate and accessible. The participant must consider transportation, classroom setting, and if applicable, necessary accommodations for persons with disabilities.

If a training is online, the participant must have consistent access to a computer and any necessary equipment to complete the course. The case manager must document the reason for choosing an online course within case notes located in either CalJOBS, participant case notes, or in the program's monthly reports.

Financial Literacy

Any participants who are requesting training shall have completed either the FDIC Money Smart workshop or FDIC Money Smart Computer Based Training prior to receiving training.

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OCWDB Financial Literacy Policy provides additional guidance for implementing career services.

ITA Funding

Service Providers are allocated ITAs through budgeted line items within the contract. Budgets may increase or decrease based on system training needs and funding availability. It is the responsibility of the Service Providers to manage, track, and report ITA funding.

1. Cost Limitations

The cost limit for an ITA is ~~\$6,500~~10,000 for the lifetime of the participant. The maximum ITA limit is not an entitlement. The amount and duration of each participant's ITA award is determined on an individual basis. Funding amounts will consider the total costs of the selected training program, any other financial assistance available to the participant, and the funding provided by WIOA available to the Adult, Dislocated Worker, or Youth Programs.

The cost for ITAs are determined by the average cost of training for specific in-demand occupations within the local area as well as the following criteria:

- Whether the training investment is in line with the future expected earnings of the participant;
- Whether the training is being provided as part of the registered apprenticeship program; and
- Consideration of the full cost of participating in training services, including costs for fees and books, tuition, and other associated costs.

An adult, dislocated worker, or out-of-school youth participant may select a training that costs more than the maximum amount available for ITAs when other sources of funds are available to supplement the ITA.

2. Allowable Individual Training Account Costs

ITA expenditures are costs required by the training institution to complete the training. ITA costs required to complete the training may include, but are not limited to:

- Tuition and fees
- Books
- Tools
- Uniforms
- Tests
- Medical immunizations/tests

Supportive Services are necessary to the success of the ITA (e.g. transportation or childcare) and shall be provided to the participant as needed and not included in the cost of the ITA.

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ITA Authorization and Modifications

1. Individual Training Account Authorization
Service Providers shall use an ITA Authorization Form (Attachment I) to document eligibility. The form must be completed and uploaded into CalJOBS and noted within a case note on the program’s monthly report prior to the start date of training.

2. Individual Training Account Voucher
The Service Providers shall generate and execute an ITA Voucher (Attachment II) and document into CalJOBS and case notes on the program’s monthly report (whichever is most applicable) prior to the start date of the training. No ITA Voucher will be issued, approved, or paid retroactively for any participant previously enrolled in training by an I-TRAIN training provider, prior or concurrently to their enrollment into a WIOA/Non-WIOA program.

If a participant does not complete a training program listed on I-TRAIN, and within the next year, requests to re-enroll into the previous program or a new one, then the following conditions must be met in order to be approved for a new ITA:

- Participant has been determined eligible for training services by the Service Provider;
- Service Provider must request approval from the Orange County Director of Workforce and Economic Development. Request must be made in writing and should include supporting documentation.

It is the responsibility of the Service Providers to manage the documentation of authorization and obligation of allocated ITA funds in accordance to this policy.

3. Participant Training Agreement
The Service Provider is to collect a signed Participant Training Agreement (Attachment III) from each participant prior to starting the training program in order to document that the participant understands the expectations and requirements of the chosen training program. A copy must be maintained and uploaded to CalJOBS.

4. Waivers
Service Providers must request a waiver (Attachment IV) for the following situations prior to approving the ITA. All waivers must be submitted to the Orange County Director of Workforce and Economic Development for approval.
 - An ITA for a training program not in an in-demand occupation or industry sector;
 - An ITA cost greater than the pre-approved amount of ~~\$8,000~~10,000
 - An ITA longer than 24 months.

Approval from the OC Director of Workforce and Economic Development for any of the above situations must be obtained prior to implementing an ITA. Waiver

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approvals must be uploaded into CalJOBS and documented in the participant's case notes.

5. ITA Payment

OCWDB WIOA ITA participants are to be considered private-pay students. Service Providers are to pay the training provider prior to or upon the participant's first month of the training program. Service Providers are required to maintain the training program billing statement/invoice with the participant's ITA Voucher and, once the Service Provider has paid for the program, the receipt or proof of payment provided by the training institution. Service Providers are responsible for validation and payment of all invoices and documentation of participants' performance outcomes.

6. ITA Modifications, Voids, and Discontinuation

An ITA may be modified to ensure that a participant attains their educational goals and subsequent employment. An ITA modification occurs when there is a change to the ITA that affects the training program, training dates, and/or cost. An ITA requiring a cost change must have prior approval from the Service Provider Program Manager documented on the ITA Authorization Form. Upon approval, an amended ITA Voucher is executed with the training provider. Any modification to an ITA shall be documented on the Training ITA Authorization Form, ITA Voucher, participant case notes, and activity status updated in CalJOBS, as applicable.

An ITA Void occurs when a participant decides to forego training, does not start training, and does not incur costs. An ITA Discontinuation occurs after the participant starts training and incurs a cost. The Service Provider is responsible for understanding a training provider's refund policy and determining when a refund is due for early termination of a participant's training. The Service Provider is to complete the ITA Void/Discontinuation Form (Attachment V) when a void or discontinuation occurs with a participant. Any voids or discontinuations to an ITA shall be documented on the ITA Authorization Form, ITA Void/Discontinuation Form, participant case notes, and activity status updated in CalJOBS.

7. Recovery of Tuition Funds

In the event a participant discontinues training, the Service Provider must do due diligence to ensure the recovery of WIOA and non-WIOA funds provided to training institutions. Prior to placement in a training program, the Service Providers must verify the following:

- The refund policy of the training provider for early termination from the training program;
- A requirement for the training provider/participant to notify the case manager of early participant/student dropout;
- The amount and percentage of the advanced payment to be returned;
- Turnaround timeframe for the refund; and
- Time spent in training before a refund will no longer be honored.

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If it is determined that a refund is due, the Service Provider/participant will initiate the refund process with the training provider. Once the Service Provider recovers tuition funding from a training provider for an ITA expense that had been previously reimbursed by the County, the Service Provider will submit a refund in the form of a check to the County and include back-up documentation with the following information:

- Participant's name;
- Name of training program; and
- Copy of previous invoice that the training program was paid.

Service Providers are obligated to return all tuition refunds during and after the contract term within 60 days of notification of participant dropout/termination date.

8. ITA Obligation, Expenditure and Leverage Reporting

Each Service Provider shall be issued an allocation of funds which shall be monitored and tracked to ensure that authorized and obligated cost of ITA's do not exceed the allocated total. After authorization, the total cost of the ITA, the leveraged amounts, and expenditures shall be reported in a format directed by the County of Orange.

Service Provider Reimbursement

Service Provider reimbursement of ITAs shall be submitted to the County of Orange on the corresponding monthly invoice in which the training program was paid. County of Orange approval of payments are contingent on verification of documentation of payment (i.e. itemized receipt, ITA Authorization, ITA Voucher) and will be subject to a review of eligibility based on documentation. On a quarterly basis, Service Providers will reconcile, review, and report the results of ITA funding activities with Training Providers to the County of Orange.

Documentation

It is the responsibility of the Service Provider to track each participant monthly to ensure that the participant is receiving training throughout the duration of the course. For WIOA Service Providers that utilize CalJOBS, participant information must be scanned into CalJOBS system and kept in hard paper files with all other documentation for verification, monitoring, and audit purposes. ITA eligibility, availability of other grant funding, and the other requirements of this policy must be documented.

The following items are examples of the supporting documentation for ITAs:

1. Assessment results supporting the selected program of study. The assessment must support the need for training including a determination by a case manager that the participant will be unlikely or unable to obtain or retain employment that leads to self-sufficiency or higher wages from previous employment through career services alone; and that the selected program of study will result in employment leading to economic self-sufficiency or wages comparable to or higher than wages from previous employment;

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- 2. Completed IEP/ISP documenting the selected program of study, anticipated and actual start/end dates, and training outcomes;
- 3. Verification of scholarships, FAFSA, Pell, or TAA application and award status, if applicable;
- 4. Authorization of the ITA (Attachment I) and any approved increase modification;
- 5. Case note documenting that the selected training provider is on the Eligible Training Provider List;
- 6. ITA Voucher (Attachment II);
- 7. Participant Training Agreement (Attachment III);
- 8. Approved waiver (Attachment IV), if applicable;
- 9. ITA Void/Discontinuation Form (Attachment V), if applicable;
- 10. Documentation of the participant's progress and/or grades;
- 11. Documentation of certificates and/or degrees; and/or
- 12. Enrollment and updating of activity codes.

For Non-WIOA Service Providers, payment reimbursement approvals are subject to the access and availability of training documentation as outlined above.

Outcomes

Service Providers shall provide individualized job placement assistance no later than when the client reaches 75% of training completion to ensure that the training leads to unsubsidized employment in a related field. Activities shall be entered and updated into the CalJOBS system and/or within participant case notes as documented within monthly program reports. Service Providers are to report any relevant information pertaining to the training program that could affect current and future outcomes (dropouts, issues or discrepancies with the program, etc.) to their OCWDB Grants Manager. OCWDB will relay the information to South Bay WIB. Successful completion of training courses must lead to a recognized certificate/credential or equivalent, and attainment of unsubsidized employment.

Reporting Performance Outcomes

Enrollments, Cost Obligations, Expenditures, Refunds, Leverage, Completion Status, and Employment outcomes shall be tracked by the Service Provider and reported in a format outlined by the County of Orange.

ACTION

Bring this policy to the attention of all affected staff and all relevant parties.

INQUIRES

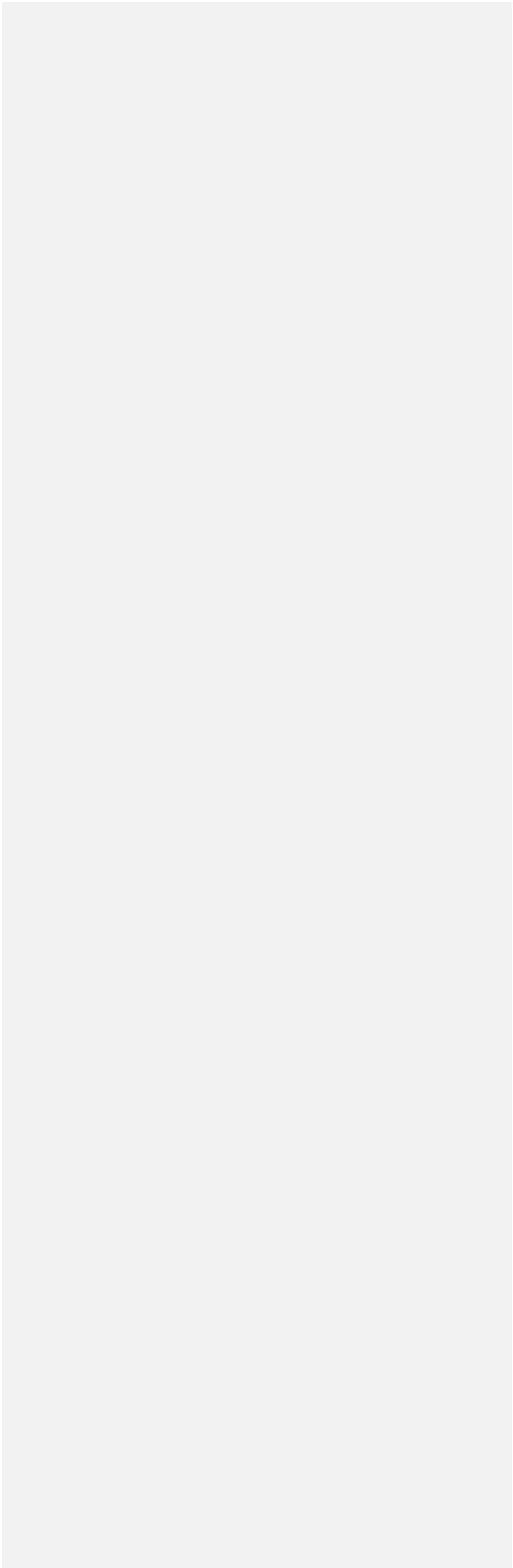
If you have any questions regarding this policy, please contact your Contract Administrator at (714) 480-6500.

ATTACHMENTS

- Attachment I: Individual Training Account Authorization Form
- Attachment II: Individual Training Account Voucher
- Attachment III: Individual Training Account Participant Agreement
- Attachment IV: Individual Training Account Waiver

Individual Training Account (ITA) Policy
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Attachment V: Individual Training Account Void/Discontinuation Form



ATTACHMENT I

Individual Training Account
Authorization Form

Individual Training Account Policy Information Notice No.23-OCWDB-05
[Revised October 2023]



Individual Training Account Authorization

Participant Name	
WIOA Application Number	
Training Program	
Training Start Date	Training Completion Date
ITA Justification Summary	
IEP, ISP, and career assessment documents ITA eligibility	<ol style="list-style-type: none"> Without training, participant is unlikely to obtain or retain employment that leads to economic self-sufficiency or wages. Yes <input type="checkbox"/> No <input type="checkbox"/> The participant's assessment determined the individual has the skills and qualifications to successfully participate in training? Yes <input type="checkbox"/> No <input type="checkbox"/> The training will result in a credential/certificate that will lead to employment in a demand occupation? Yes <input type="checkbox"/> No <input type="checkbox"/> The participant started/completed financial literacy training. Yes <input type="checkbox"/> No <input type="checkbox"/> <p>Additional Notes:</p>
Participant Verification	<ol style="list-style-type: none"> The participant researched at least three appropriate training programs listed on I-TRAIN. Yes <input type="checkbox"/> No <input type="checkbox"/> The participant conducted at least one site visit of the school. Yes <input type="checkbox"/> No <input type="checkbox"/> If the participant chooses an online program, the participant has reliable access to a computer and/or necessary equipment. Yes <input type="checkbox"/> No <input type="checkbox"/> <p>Additional Notes:</p>
Financial Assistance	<p>The participant is authorized for the ITA utilizing the following funding:</p> <p><input type="checkbox"/> Federal or state, describe:</p> <p><input type="checkbox"/> Private scholarships, describe:</p> <p><input type="checkbox"/> WIOA ITA</p> <p><input type="checkbox"/> Other</p>
Waivers	Was a waiver obtained from the OC Director of Workforce Development for this ITA? Yes <input type="checkbox"/> No <input type="checkbox"/>
Modification, Void, or Discontinuation Notes	

Case Manager (Print)

Case Manager Signature

Date

Program Manager (Print)

Program Manager Signature

Date

ATTACHMENT II

Individual Training Account
Voucher Form

Individual Training Account Policy Information Notice No.23-OCWDB-05
[Revised October 2023]



Individual Training Account Voucher

PARTICIPANT AND COURSE INFORMATION			
Participant		WIOA Application #	
Service		Grant Code	
Billing Address		City, State, Zip	
Phone		Manager Email	
Case Manager		Email	
I-TRAIN		Local Program	
Contact / Title		Email	
Facility Address		City, State, Zip Code	
Phone		Email	
Training Program Name		ETPL (State) Program Code	
Start Date	Projected End Date	Total Hours	Occupational Code
Anticipated Placement		Employer	
Comments / Benchmark Goals / Online			
TRAINING COSTS			
a) Total Training Costs	\$		
a.1) Tuition/Fee	\$		
a.2) Books	\$		
a.3) Tools	\$		
a.4) Other Costs	\$		
a.5) Other Cost Explanation			
FINANCIAL AID / COST ASSISTANCE			
b) Financial Aid Applicable	<input type="checkbox"/> Yes <input type="checkbox"/> No		
c) Financial Aid Type <i>(use comments below to identify other types of financial aid)</i>	<input type="checkbox"/> Pell Grant <input type="checkbox"/> Stafford Student Loan <input type="checkbox"/> School Academic Scholarship <input type="checkbox"/> School Athletic Scholarship <input type="checkbox"/> Other (i.e. school discounts/adjustments, personal loan, etc.)		
d) Total Financial Aid	\$		
e) Financial Aid Status	<input type="checkbox"/> Pending <input type="checkbox"/> Awarded <input type="checkbox"/> Void		
FINAL ITA OBLIGATION			
f) WIOA ITA Cost (a minus d)	\$		
g) Comments			

By signing and transmitting this ITA voucher, the undersigned certify that the information reflected herein are in accordance with all Federal, State, and local policies and as required by appropriate laws. Service Provider shall be responsible to pay Training Provider for costs identified above with the exception of any costs already paid for through Educational Assistance Grants and or loans. In the event the participant does not complete the enrolled course after payment, a refund will be owed to the Service Provider in accordance with Training Providers Refund Policy at the time of signing this voucher. Training provider agrees to provide progress reports and/or documentation of attendance and training completion, as requested by Service Provider.

_____	_____
Print Name of Participant	Participant Signature and Date
_____	_____
Print Name of Case Manager	Case Manager Signature and Date
_____	_____
Print Name of Program Manager	Program Manager Signature and Date
_____	_____
Print Name and Title of Training Provider	Training Provider Signature and Date

ATTACHMENT III

Individual Training Account
Participant Training Agreement

Individual Training Account Policy Information Notice No.23-OCWDB-05
[Revised October 2023]



PARTICIPANT TRAINING AGREEMENT

Participant Name:

You have been approved for Workforce Innovation and Opportunity Act (WIOA) Title I funding to assist with costs associated with the following employment-related training:

School	
Training Program	
Anticipated training start date	
Anticipated completion date	
Anticipated wage after program completion	

I, _____, agree with the following:

- I understand that continued WIOA tuition assistance is contingent on availability of WIOA funding and my satisfactory progress in school.
- I agree to seek employment upon completion of training and will notify my case manager immediately upon obtaining employment.
- I researched at least three training program options on I-TRAIN and completed at least one site visit. Name schools below.
 - 1.
 - 2.
 - 3.
- I completed labor market information and career planning research when selecting training program options.
- I have reviewed and will comply with the training institution’s attendance, withdrawal, and code of conduct policies.
- If I am taking an online training course, I have reliable access to a computer and any necessary equipment to complete the training.
- To ensure there is no duplication of tuition payment, I will provide my case manager with application results, including award letters from other funding sources, including, but not limited to: FAFSA, CalWORKS/TANF, CalFRESH/SNAP, GI Bill or other Federal financial aid available to military veterans, TAA, State-funded grants, scholarships, or private job training programs.
- I authorize _____ to release my educational records, including attendance, grades, transcripts and/or progress reports, financial awards, educational expenses, etc. to my case manager.
- I will strive to maintain, at a minimum, satisfactory progress which includes:



OC Community Services



- o A grade point average that does not fall below 2.0 for two consecutive terms; or
 - o A grade point average sufficient to graduate from, or receive certification in my approved area of study; or
 - o Sufficient credit hours to finish the approved course of study within the timeframe established under the approved training plan.
 - o In the case of self-paced or ungraded learning programs, satisfactory progress means participating in classes and passing certification examinations within the timeframe established under the approved training plan.
- I will submit copies of grades/progress reports to my case manager at agreed upon timeframes but prior to the start of the next training session.
 - I will maintain ongoing contact with my case manager as documented on my Individual Employment Plan/Individual Service Plan (IEP/ISP) but no less than once per month.
 - I will resolve issues with the training instructors and training institution directly. If I am unable to resolve them satisfactorily, I will contact my case manager for assistance.
 - I will notify my case manager immediately if issues or concerns arise that may impact my continued training participation or require a change to my training program/schedule.
 - I will notify my case manager immediately if I withdraw from the training program.
 - If I receive a refund check directly from the training institution, I will immediately return the check to my Service Provider/case manager.
 - I will notify my case manager immediately if my contact information changes.

I understand that failure to comply with the terms of this agreement may result in my termination from the WIOA program. I have read and agree to the conditions stated on this Participant Training Agreement. I received a copy of this agreement.

Participant Signature: _____

Date: _____

I have reviewed this Participant Training Agreement with the participant and witnessed his/her signature:

Case Manager Signature: _____

Date: _____

ATTACHMENT IV

Individual Training Account Waiver Request

Individual Training Account Policy Information Notice No.23-OCWDB-05
[Revised October 2023]



OC Community Services

OC WORKFORCE DEVELOPMENT BOARD
Overseeing job seekers, youth and business programs and services.

americanjobcenter CALIFORNIA

Individual Training Account Waiver Request

Under Orange County Workforce Development Board's Individual Training Account Policy, a Service Provider may request a waiver on behalf of a WIOA participant for the following situations prior to finalizing an ITA:

- 1. An ITA for a training program not in an in-demand occupation or industry sector
- 2. An ITA cost greater than ~~\$8,000~~10,000
- 3. An ITA longer than 24 months

Participant Name: _____

Training Program: _____

Training Dates: _____

This waiver request is being submitted for the following reason:

- Training program not in an in-demand occupation or industry sector
- Training program costs more than ~~\$8,000~~10,000
- Training is longer than 24 months

Justification for waiver: _____

The additional documentation is required to be included with this waiver request:

- 1. ITA Authorization Form
- 2. ITA Training Account Voucher
- 3. Training Program Information (brochure, flyer, I-TRAIN printouts), as applicable

Case Manager (Print)

Case Manager Signature

Date

Program Manager (Print)

Program Manager Signature

Date

County of Orange Use Only

OC Director of Workforce and Economic Development Approval: Yes No

Signature: _____ Date: _____

ATTACHMENT V

Individual Training Account VOID/Discontinuation Form

Individual Training Account Policy Information Notice No.23-OCWDB-05
[Revised October 2023]

2024 Meeting Schedule

JANUARY							FEBRUARY							MARCH						
SUN	MON	TUES	WED	THU	FRI	SAT	SUN	MON	TUES	WED	THU	FRI	SAT	SUN	MON	TUES	WED	THU	FRI	SAT
	1	2	3	4	5	6					1	2	3						1	2
7	8	9	10	11	12	13	4	5	6	7	8	9	10	3	4	5	6	7	8	9
14	15	16	17	18	19	20	11	12	13	14	15	16	17	10	11	12	13	14	15	16
21	22	23	24	25	26	27	18	19	20	21	22	23	24	17	18	19	20	21	22	23
28	29	30	31				25	26	27	28	29			24	25	26	27	28	29	30
														31						
APRIL							MAY							JUNE						
SUN	MON	TUES	WED	THU	FRI	SAT	SUN	MON	TUES	WED	THU	FRI	SAT	SUN	MON	TUES	WED	THU	FRI	SAT
	1	2	3	4	5	6				1	2	3	4							1
7	8	9	10	11	12	13	5	6	7	8	9	10	11	2	3	4	5	6	7	8
14	15	16	17	18	19	20	12	13	14	15	16	17	18	9	10	11	12	13	14	15
21	22	23	24	25	26	27	19	20	21	22	23	24	25	16	17	18	19	20	21	22
28	29	30					26	27	28	29	30	31		23	24	25	26	27	28	29
														30						
JULY							AUGUST							SEPTEMBER						
SUN	MON	TUES	WED	THU	FRI	SAT	SUN	MON	TUES	WED	THU	FRI	SAT	SUN	MON	TUES	WED	THU	FRI	SAT
		1	2	3	4	5					1	2	3	1	2	3	4	5	6	7
6	7	8	9	10	11	12	4	5	6	7	8	9	10	8	9	10	11	12	13	14
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20	21	22	23	24	25	26	18	19	20	21	22	23	24	22	23	24	25	26	27	28
27	28	29	30	31			25	26	27	28	29	30	31	29	30					
OCTOBER							NOVEMBER							DECEMBER						
SUN	MON	TUES	WED	THU	FRI	SAT	SUN	MON	TUES	WED	THU	FRI	SAT	SUN	MON	TUES	WED	THU	FRI	SAT
		1	2	3	4	5						1	2	1	2	3	4	5	6	7
6	7	8	9	10	11	12	3	4	5	6	7	8	9	8	9	10	11	12	13	14
13	14	15	16	17	18	19	10	11	12	13	14	15	16	15	16	17	18	19	20	21
20	21	22	23	24	25	26	17	18	19	20	21	22	23	22	23	24	25	26	27	28
27	28	29	30	31			24	25	26	27	28	29	30	29	30	31				

*Meeting dates are subject to change upon release of the County of Orange 2024 calendar.

- Youth Committee
- One-Stop Oversight Committee (OS)
- Business Services Committee (BS)
- Executive Committee
- OC Workforce Development Board (Full Board)

2024 Meeting Schedule

JANUARY							FEBRUARY							MARCH						
SUN	MON	TUES	WED	THU	FRI	SAT	SUN	MON	TUES	WED	THU	FRI	SAT	SUN	MON	TUES	WED	THU	FRI	SAT
	1	2	3	4	5	6					1	2	3						1	2
7	8	9	10	11	12	13	4	5	6	7	8	9	10	3	4	5	6	7	8	9
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21	22	23	24	25	26	27	18	19	20	21	22	23	24	17	18	19	20	21	22	23
28	29	30	31				25	26	27	28	29			24	25	26	27	28	29	30
														31						
APRIL							MAY							JUNE						
SUN	MON	TUES	WED	THU	FRI	SAT	SUN	MON	TUES	WED	THU	FRI	SAT	SUN	MON	TUES	WED	THU	FRI	SAT
	1	2	3	4	5	6				1	2	3	4							1
7	8	9	10	11	12	13	5	6	7	8	9	10	11	2	3	4	5	6	7	8
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21	22	23	24	25	26	27	19	20	21	22	23	24	25	16	17	18	19	20	21	22
28	29	30					26	27	28	29	30	31		23	24	25	26	27	28	29
														30						
JULY							AUGUST							SEPTEMBER						
SUN	MON	TUES	WED	THU	FRI	SAT	SUN	MON	TUES	WED	THU	FRI	SAT	SUN	MON	TUES	WED	THU	FRI	SAT
		1	2	3	4	5					1	2	3	1	2	3	4	5	6	7
6	7	8	9	10	11	12	4	5	6	7	8	9	10	8	9	10	11	12	13	14
12	13	14	15	16	17	18	11	12	13	14	15	16	17	15	16	17	18	19	20	21
19	20	21	22	23	24	25	18	19	20	21	22	23	24	22	23	24	25	26	27	28
26	27	28	29	30	31		25	26	27	28	29	30	31	29	30					
OCTOBER							NOVEMBER							DECEMBER						
SUN	MON	TUES	WED	THU	FRI	SAT	SUN	MON	TUES	WED	THU	FRI	SAT	SUN	MON	TUES	WED	THU	FRI	SAT
		1	2	3	4	5						1	2	1	2	3	4	5	6	7
6	7	8	9	10	11	12	3	4	5	6	7	8	9	8	9	10	11	12	13	14
13	14	15	16	17	18	19	10	11	12	13	14	15	16	15	16	17	18	19	20	21
20	21	22	23	24	25	26	17	18	19	20	21	22	23	22	23	24	25	26	27	28
27	28	29	30	31			24	25	26	27	28	29	30	29	30	31				

*Meeting dates are subject to change upon release of the County of Orange 2024 calendar.

- Youth Committee
- One-Stop Oversight Committee (OS)
- Business Services Committee (BS)
- Executive Committee
- OC Workforce Development Board (Full Board)