

**ACTION BULLETIN**

**TO:** All Workforce Innovation and Opportunity Act (WIOA) Funded Alameda County Workforce Development Board (ACWDB) Service Providers

**DATE:** March 23, 2022

**SUBJ:** ACWDB's WIOA Training Policies

**PURPOSE OF BULLETIN:**

This bulletin provides guidance and establishes the policies regarding WIOA-funded training opportunities for eligible WIOA Adult and Dislocated Worker participants.

**CITATIONS:**

- WIOA Sections 3, and 134
- Title 20 Code of Federal Regulations (CFR) Sections 680.200 and 680.900-680.970
- California's Employment Development Department (EDD) Workforce Services Directive (WSD) 18-10 – WIOA Training Expenditure Requirement; issued January 31, 2019.
- EDD's Workforce Services Information Notice (WSIN) 17-09 – CalJOBS<sup>SM</sup> Activity Codes; issued October 29, 2019.

**BACKGROUND:**

The State of California enforces a mandate upon all WIOA Local Workforce Development Areas (LWDA) across the state – that an amount equal to 30% of the WIOA Adult and Dislocated Worker funding allocations be spent on vocational retraining for WIOA eligible participants each program year. This mandate allows 10% (1/3 of the 30% training mandate) to be accounted for through leveraged sources other than WIOA training dollars.

A Local Area's failure to meet this WIOA Training Expenditure requirement may result in state-mandated development of corrective action plans and ultimately may cause the local area to be determined ineligible for special projects or discretionary grant funding.

## **ACWDB WIOA Training Policies:**

The following policies represent federal requirements as mandated through the WIOA legislation, state requirements based on EDD guidance, and local policies.

### 1. Funding of Last Resort:

WIOA mandates that WIOA training dollars be the funding of last resort to cover the costs of training and training-related expenses for WIOA-eligible participants. In order to ensure that individual participants are not eligible for other sources of training funds, Career Coaches should guide participants through a comprehensive process to explore alternative sources of training funds (i.e., Pell Grants, Job Corp, Trade Adjustment Assistance (TAA), National Emergency or National Dislocated Worker Grants, Employment Training Panel (ETP) Grants, Temporary Aid for Needy Families (TANF) programs, etc.) – and confirm, through a “training suitability” process that the individual participant is not eligible for other training resources.

### 2. Timeliness of Training Request Submittals:

Individual Training Account (ITA) paperwork and/or requests for Local Board Determination (LBD) Training (defined below), must be submitted to the attention of Workforce Development Board staff at least two weeks before the anticipated begin date of the training program.

In rare instances, it may be possible to fast-track the paperwork for training, but in many instances, paperwork is not completed correctly and must be resubmitted with corrections prior to receiving approval. This is the primary reason that ACWDB has established a requirement for two-week advanced notice for the processing of ITAs and LBD Training requests.

### 3. Training Suitability:

Career Coaches must make a determination of suitability for WIOA-funded training before referring an eligible participant for WIOA-funded training services.

Training suitability may be determined based on a number of factors. Some examples of items to consider for training suitability include whether the participant:

- A. Is eligible for training funds through alternate sources;
- B. Meets any prerequisite criteria established by the training provider;
- C. Is financially stable enough to fully engage in and successfully complete the program;
- D. Is unlikely or unable to obtain or retain employment that leads to economic self-sufficiency without the training;
- E. Has selected a training program that is directly linked to employment opportunities within the local area or planning region – or in another area where the individual participant is willing to commute or relocate for work;
- F. Has researched the daily responsibilities of an individual employed in their field of interest.

Determination of these factors may be made through an assessment of suitability for training. This assessment may be completed on a form template provided by ACWDB, or from within the CalJOBS system, or through tools created by ACWDB's contracted service providers – as long as items A-F above are included as part of that assessment.

4. WIOA Training Cost Cap per Participant:

The cost caps for training funds spent on a single individual are:

- A. Up to \$5,000 for a single training program, leading to an industry recognized credential
- B. Up to \$7,500 when a single vocational training program is bundled with an On-the-Job Training (OJT) opportunity
- C. Career Coaches may apply for a waiver of this cap in the event of extenuating circumstances\* that exist for a specific participant
- D. Individual participants may NOT engage in bundling of training programs in an attempt to expend the full \$5,000. The \$5,000 cap is to be applied to a single training program that leads to an industry-recognized credential. There is no remaining balance if a training program does not require full use of the \$5,000.

**\*COST CAP WAIVER REQUIREMENTS**

A cost cap waiver may be requested in the event that the following circumstances are present:

- I. The participant is seeking training that will lead to an industry-recognized certificate or credential in an industry sector that falls within ACWDB's Industry Sector and Occupational Framework (ISOF); and
- II. There are funds available within the appropriate Grants Checkbook to cover the full cost of the training; and
- III. There are no other training courses that offer a comparable certification for less than the requested cost – or the only other available course is being held in-person and outside the general area of the participant's residence; and
- IV. Both the Career Coach and the Site Manager agree that the individual participant's circumstances justify the waiver request; and
- V. The total cost of the training does not exceed one and a half times the amount of the existing cap.

Waiver requests should be submitted in writing to the attention of the assigned Workforce Technician and to the Adult/Dislocated Worker Program Liaison. ACWDB anticipates a one-week turn-around on approvals or denials of these waiver requests – measured from the date that correct paperwork has been submitted.

5. Multiple Training Opportunities for WIOA Participants:

Individual participants are eligible for a single training opportunity during a participation cycle. A participation cycle begins on the date of application or the date of participation

(these two dates usually match) – and ends on the date of case closure in the CalJOBS system.

If an individual requests a secondary training activity (whether it be during the same or a subsequent participation cycle), there must be justification provided regarding why the individual was unable to obtain or retain employment using skills that were acquired through the original training program. This evaluation must be performed regardless of the amount of time that has lapsed between the initial training activity and the current request for training.

If the secondary training is during the same participation cycle, then the total cost of the two training programs must NOT exceed the cap on training expenditures per participant.

If the secondary training has been adequately justified through verification that the individual remained unable to obtain/retain employment; and the secondary training is being offered through a subsequent participation cycle, then the participant would be eligible (again) for the full amount of training funds.

ACWDB will consider the justification regarding why a participant was unable to obtain or retain employment with the skills and certifications that were achieved through the first training opportunity. Individual participants who do not follow-through with interview appointments or decline offers of employment will NOT be considered for secondary training opportunities. The failure to obtain or retain employment must be related to the level of skill or certification that was awarded upon successful completion of the first training opportunity.

Requests for secondary training programs for a single participant should be approved by the program site-manager, submitted through a request to your assigned technician and to ACWDB's Adult/Dislocated Worker Program Liaison, and include any relevant documentation. Approval of the request must be received, in writing, from ACWDB staff before proceeding with the training enrollment. ACWDB anticipates a one-week turn-around on approvals or denials of these requests, measured from the date that correct paperwork has been submitted.

6. Co-Enrollment for Training:

Co-enrollment for training may occur when an individual participant has an opportunity to enroll in a special project or other discretionary grant project to fund their training. Participation in multiple grant programs is allowable under WIOA as long as there is no duplication of service between the two grants. If multiple Career Coaches are involved with the provision of services through these multiple grant programs, there should be coordination to ensure that services under one grant do not duplicate services that were provided under another grant.

7. Local Board Determination (LBD) Training:

The Alameda County Workforce Development Board took action at their May 18, 2018, meeting to allow eligible participants to receive WIOA funding for training programs not

listed on California's Eligible Training Provider List (ETPL). Specific conditions must be present in order to request use of the LBD training. Please reference ACWDB's Action Bulletin (AB) 18-04 Revision 3, for the most up-to-date guidance on use of the LBD training option. AB 18-04 R3 is available through ACWDB website on [ACWDB's Program Policies Page](#).

8. Training Opportunities for Youth:

Occasionally, depending on the availability of WIOA Adult training funds, ACWDB will allow for WIOA Adult training funds to be set-aside for WIOA Youth participants who are at least 18 years of age and who possess one or more barriers to employment that would identify them as WIOA Adult Priority Population participants.

The Youth Program Liaison will provide notice to all appropriate Youth service providers when these training funds are made available.

In most cases, the ITA paperwork will be handled internally by the Workforce Services Support Team (WSST) staff. Access to this opportunity requires that the youth participant be determined eligible as a WIOA Adult – and co-enrolled into that program. This additional eligibility determination will be facilitated by WSST staff with the assistance of the referring Career Coach.

Once notified of the availability of WIOA Training funds for youth participants, Youth Career Service Providers (CSP) should identify appropriate candidates from their pool of WIOA-enrolled youth participants – and assess the individual for WIOA training suitability using guidance as provided in item “2. Training Suitability”, above.

Additionally, the youth candidate must be assessed to determine whether they meet any of the WIOA Adult Priority Population criteria. This criteria may be found in ACWDB's AB 17-08 R1 – WIOA Adult Priority of Service on [ACWDB's Program Policies Page](#).

Once a determination has been made regarding suitability and priority population status, Youth CSPs should send a request to ACWDB's Youth Program Liaison and their assigned Workforce Technician.

ACWDB anticipates a one-week turn-around on approvals or denials for these requests and would require, at a minimum, two-week advance notice between the date of the request and the scheduled begin date of the training program.

**ACTION:**

All ACWDB WIOA service providers must immediately adopt and enact the policies and procedures as outlined in this Action Bulletin. Additionally, this bulletin should be shared with all staff responsible for the provision of WIOA-funded services under the ACWDB.

*ACWDB Action Bulletins referenced in this item were the most current available on the date this bulletin was drafted. Any updated information may be located at [ACWDB's Program Policies Page](#).*

*Any discrepancies arising between this policy/procedure and federal or state provisions (due to future revisions) will default to the current minimum federal and state regulations and guidance available.*

**For information and inquiries please contact:**

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