



## **Transitional Jobs Policy**

**Effective Date: July 1, 2022**

### **I. PURPOSE:**

To provide policy, guidance and procedures for the administration and implementation of Transitional Jobs (TJ) funding under the Workforce Innovation and Opportunity Act (WIOA). Transitional Jobs are defined as time-limited, wage paid work experiences that are designed to connect individuals with barriers to employment, who are chronically unemployed or who have an inconsistent work history, as determined by the local Workforce Development Board, with opportunities to build workplace skills and job history that lead to, entry into and retention in, unsubsidized employment.

### **II. REFERENCES:**

- WIOA Section 134(d)(5)
- 20 CFR §680.190
- 20 CFR §680.195
- 20 CFR §680.830
- 20 CFR §680.840
- 20 CFR §680.850
- 20 CFR §680.900
- TEGL No.19-16

### **III. BACKGROUND:**

WIOA authorizes a number of Work-Based Training options that may be utilized as appropriate to assist job seekers to re-enter or advance in the workforce, to include Transitional Jobs. All eligible Adult and Dislocated may participate in transitional jobs. Additionally, transitional jobs are required to be combined with comprehensive career services and supportive services.

### **IV. DEFINITIONS:**

- A. **“Individuals with barriers to employment”** includes those who are one or more of the following:
- displaced homemakers;
  - low-income individuals;
  - Indians, Alaska Natives, and Native Hawaiians;

- individuals with disabilities;
- older individuals;
- ex-offenders;
- homeless individuals;
- youth who are in or have aged out of the foster care system;
- individuals who are English language learners, have low literacy levels, or face substantial cultural barriers;
- eligible Migrant and Seasonal Farm Workers; individuals within two (2) years of exhausting lifetime eligibility under TANF;
- single parents (including single pregnant women);
- long-term unemployed individuals;
- recipients of public assistance.

B. **“Individuals with chronic unemployment” or “inconsistent work history”** may include those are those who:

- have been unemployed for 13 weeks or longer;
- were unemployed at least 26 of the past 52 weeks; or
- have held three or more jobs in the past 52 weeks and are currently unemployed or underemployed.

C. **“Transitional Jobs”** per WIOA Section 134(d)(5) means paid work experience that:

- is time limited and subsidized;
- is in the public, private or nonprofit sector;
- is provided to individuals with barriers to employment who are chronically unemployed or who have an inconsistent work history;
- is combined with comprehensive employment and supportive services;
- is designed to help the customer establish a work history, demonstrate success in the workplace, and develop the skills that lead to entry in and retention in unsubsidized employment; and
- is designed with employment as the desired outcome, although there is no requirement that the employer retain the individual upon completion of the transitional job.

## V. **POLICY:**

### A. **Participant Eligibility**

To qualify for TJ under the WIOA guidelines, each individual will:

- have enrolled with PA CareerLink® in the North Central WDA in the WIOA Adult or Dislocated Worker programs;
- have completed an initial assessment and have been determined to be an individual with a barrier to employment and a history of chronic unemployment or an inconsistent work history. Assessment tools must be approved in advance by Workforce Solutions staff. Supporting

documentation proving eligibility is required; additional information can be found in Workforce Solutions Eligibility policy;

- be unemployed.

Some of the potential target groups to be served with TJ include:

- long term unemployed;
- ex-offenders;
- individuals who are currently receiving or who have exhausted TANF benefits;
- individuals with disabilities.

## **B. Employer Eligibility**

Eligible employers able to participate as a TJ placement site include: private-for-profit businesses, private nonprofit organizations, and public sector employers.

An employer will NOT be eligible to participate as a WIOA TJ placement site if:

- 1) The employer has any other individual on layoff from the same or substantially equivalent position.
- 2) The TJ would infringe upon the promotion of or displacement of any currently employed worker or a reduction in their hours.
- 3) The same or a substantially equivalent position is open due to a hiring freeze.
- 4) The employer is a private for-profit employment agency; i.e. temporary employment agency, employee leasing firm or staffing agency.

## **C. TJ General Requirements**

- 1) TJ must be combined with comprehensive career services and supportive services.
- 2) TJ placements should contribute to the occupational development and upward mobility of the participant.
- 3) Per WIOA regulations (20 CFR 683.200(g)), "no individual may be placed in an employment activity if a member of that person's immediate family is directly supervised by or directly supervises that individual." For the purpose of this policy, the term "immediate family" includes a spouse, child, son-in-law, daughter in-law, parent, mother in-law, father-in-law, sibling, brother-in-law, sister-in-law, aunt, uncle, niece, nephew, stepparent, stepchild, grandparent, and grandchild.
- 4) TJ wages may be subsidized for any amount up to 100%; but the total TJ expenditures cannot exceed 10% of the adult and dislocated worker combined allocation.
- 5) Unlike on-the-job training, the transitional jobs training provider may be the employer of record and there is no requirement that the employer retain the individual upon completion of the transitional job, however job retention is still the ideal outcome.

## **D. WIOA TJ Length**

TJ must be time limited (no more than 6 months and preferably 8 to 12 weeks) and require at least fifteen (15) but not more than forty (40) hours of work per week.

**E. WIOA TJ Funding Levels**

All TJ placements must pay at least \$12.00 per hour as wages earned by a participant. Providers are encouraged to develop TJ placements that pay a family sustaining wage and leverage additional funding to offset this cost.

**F. TJ Supportive Services**

In accordance with Workforce Solutions Supportive Services policy, funding may be provided as needed to all individual to participate in transitional jobs.

**G. TJ Provider Requirements**

With assistance from PA CareerLink® staff, participating employers must guarantee that:

- 1) Employees who have financial responsibilities related to the receipt and disbursement of funding under the Agreement shall be covered by fidelity bonding.
- 2) The training to be provided will be in accordance with WIOA 181(a)(1)(A) and 683.275 for wage and labor standards. Worker protection requirements are set forth in WIOA Sections 181(a) (1) (A) and (B), (b) (2), (3), (4) and (5) and 188.
- 3) The host site and provider agree to cooperate with monitoring efforts as required by WIOA legislation and adhere to all other applicable local, state and federal rules and regulations.
- 4) Funds are not used to directly or indirectly assist, promote or deter union organizing.
- 5) The employer agrees to respond to Workforce Solutions/PA CareerLink® staff requests for wage and retention information of participants.
- 6) There is no expectation that the employer providing the TJ placement will hire the participant permanently.
- 7) If the participating employer(s) has recently relocated, resulting in the loss of employment of any employee of such business at the original location in the U.S., TJ placements may not be granted to the employer(s) until after 120 days have passed since the relocation.

**VI. EXPIRATION:**

Ongoing

**VII. INQUIRIES:**

Questions shall be directed to:

Pamela Streich, Executive Director at [pstreich@ncwdb.org](mailto:pstreich@ncwdb.org); or

Donna Hottel, Strategic Planning and Project Manager at [dhottel@ncwdb.org](mailto:dhottel@ncwdb.org)

**Workforce Solutions for North Central PA**

425 Old Kersey Road

Kersey, PA 15846

(814) 245-1835

**Auxiliary aids and services are available upon request to individuals with disabilities.**

**Equal Opportunity Employer/Program**