

Capital Region Workforce Development Board (WBD)
Workforce Innovation and Opportunity Act (WIOA) Service Policy #SP 102
On-the-Job Training (OJT)

References: Workforce Innovation and Opportunity Act (WIOA), Final Rule, Section 134(c) (3)(h), 20CFR 680.530, 20 CFR 680.700 -20 . CFR 680.740

Date: **Revision #3, April 28, 2026.**

Updates Revision #2, January 11, 2023, :Revision #1, September 23, 2021; and Original, December 15, 2017;

Purpose:

To establish requirements and limits for the use of OJT as a tool to connect enrolled WIOA jobseekers into work-based learning opportunities where they earn wages while obtaining job-specific skills identified by the employer.

Policy Statement:

The Capital Region Workforce Development Board recognizes the value of OJT as an effective work-based learning activity that supports needs of both the employer and job seeker. This policy shall outline the definitions and other details for use by contracted service providers in developing and executing OJT opportunities in the Capital Region.

Policy Framework:

OJT is defined as training provided to a WIOA participant who has been hired into employment with a contract developed to meet the employer-defined needs while making the individual proficient in the position. .

The contract is to be developed between the Virginia Career Works program provider and the employer and detail the specific and agreed upon training period and identify the specific knowledge, skills and capabilities the new hire will learn in order to achieve full and adequate performance on the job.

The contract further stipulates the portion of the trainee's wages that the employer may be reimbursed for the extraordinary cost of providing training and additional supervision to the trainee.

OJT placements should be limited to occupations which align with the Virginia Board of Workforce Development's most current regionalized High Demand Occupation List maintained by the Virginia Office of Education Economics, as annually updated.

Duration of OJT Activities:

OJT contracts will be written to the period of time required for the employee to become proficient in the job for which the training was designed. No agreement or series of agreements

for one individual combined should exceed more than 1,040 hours (26 weeks).

In determining the appropriate length of time of the training, consideration will be given to the skill requirements of the job, the academic and occupational skill level of the employee, the prior work experience of the employee, and the participant's individual service strategy.

Program provider staff will use the Dictionary of Occupational Titles Standard Vocational Practices code as the guideline, or other similar resources, in determining the duration of an OJT training period. The methodology must be documented in the participant record.

Payment of the Agreed Upon Reimbursement to the Employer:

Employers will be reimbursed in accordance with the agreed upon individual contract amount based on the hourly wage of the employee. The starting wage rates should be at least 75% of the living wage for the locality as set by the MIT living wage calculator in order for the employer to receive a maximum of \$5,000 in wage reimbursement. Wages that are at or above the Living Wage can receive a \$10,000 maximum wage reimbursement. The living wage rate should be verified at the time of writing of the contract and based upon the family size of the employee.

Employers with more than 50 employees may be reimbursed up to 50% of wage costs. Those with 50 or fewer employees may be reimbursed at a rate up to 75%.-

To request the reimbursement, the employer will need to send the appropriate time record or other verifiable payroll records and documentation including signatures of the employer and employee for each month or week of participation depending on the duration of the training. Progress reports will also be required to document the employee's progress made in achieving proficiency per the contract.

Eligible Employees:

- (a) A WIOA participants newly hired by the employer from program referrals who require on the job training as the means of learning the job for which they were hired. The individual hired must have a WIOA Individual Employment Plan which identifies OJT as the most appropriate training methodology for the individual and the activity has been properly entered in the VAWC system
- (b) An individual being considered for hire that is referred to the WIOA service provider by the employer for determination of WIOA eligibility and enrollment; or
- (c) An individual already employed by the employer that is not earning a "self-sufficient wage" as determined by the Capital Region Workforce Development policy #110, and for whom newer or enhanced skills will result in promotion and/or higher wage employment opportunities within the same company.

Eligible Employers:

- (a) May be public, private non-profit or private for profit
- (b) Must have the personnel to provide adequate supervision and training
- (c) Must be willing to provide the agreed upon hourly training wage and agree to continue

- the trainee as an employee after the training period has ended.
- (d) Must provide the benefits and working conditions at the same level and to the same extent as other trainees or employees working a similar length of time and doing the same type of work
 - (e) Must not have a history of or pattern of failing to provide OJT trainees with continued long-term employment with wages, benefits, and working conditions that are equal to those provided to regular employees who have worked a similar length of time and are doing the same type of work.
 - (f) Must not have workers in a layoff status in the same position as the OJT within the past 120 days.
 - (g) Must not have relocated from any location in the United States within 120 days, if the relocation resulted in any employee losing his or her job at the original location, and
 - (h) Must not use OJT assignments to displace regular employees, or to replace any employee on layoff.
 - (i) Must be willing to enter into a written agreement for the training that must include an outline of the competencies/skills to be taught and mastered as a condition of the OJT activity for each employee participating, and
 - (j) Must be willing to submit a monthly time record and information about the progress of the employee in completing the training to secure the OJT reimbursement.

Performance Information:

The program operator will be required to provide performance information by company and number of participating employees monthly to the Workforce Development Board.

This information will be used to provide information to potential enrollees about the OJT activities, and will be used by the customer to make decisions about the type of training they would like to access.

Approval Determinations and Appeals:

OJT is not an "entitlement" service. The local board director or contracted service providers may deny or alter any submitted request for OJT assistance from an employer. Written reasoning must be provided as to the basis for denial.

Upon receiving such denial or notice of alteration, an employer may file an appeal within 30 days receiving notice to the Workforce Development Board for consideration at the next regularly scheduled meeting of the Board.

Should the Workforce Development Board uphold the staff/provider decision, the employer may file appeal with the State's WIOA Title I Administrative Agency.