



Tompkins County Workforce Development Board Transitional Jobs Policy

I. Overview of Transitional Jobs

Transitional Jobs is one strategy for individuals to receive workforce preparation funded through the Workforce Innovation and Opportunity Act (WIOA). § 680.195 LWDA may use up to 10% of combined total of adult and dislocated worker allocations for transitional jobs and must be combined with comprehensive career services and support services.

A Transitional Job is one that provides a limited work experience that is subsidized in the public, private, or non-profit sectors for those individuals who are chronically unemployed and/or have a inconsistent work history.

Transitional Jobs are designed to enable an individual to establish a work history, demonstrate work success, and develop the skills that lead to unsubsidized employment.

Transitional Jobs is a practical workforce strategy that uses time-limited, wage-paying jobs that combine real work, skill development, and supportive services, to transition participants to the labor market and to reinforce skills learned in a classroom setting.

II. Identification of Potential Businesses

Businesses eligible as Transitional Job Sites must meet the following criteria:

1. The business must provide information, including their Federal Employer Identification Number, to demonstrate they are a legitimate employer with full-time employees and are conducting their business at an appropriate worksite.
2. The business must comply and agree to follow all local, state and/or federal labor laws to participate in the program, and Is not in violation of any local, state or federal labor laws.
3. The business must provide a working environment, which conforms to federal and state health and safety standards.
4. They may not have relocated, either in whole or in part, if such relocation resulted in the loss of employment for any employee of the company at the original location, until the company has operated at the location for 120 days.
5. An on-site review will be conducted with the business that will function as the worksite. This review will allow staff to see where the participant will be working, meet the trainee's supervisor, and gain a better understanding of the business' facility and operations. The site visit may also determine whether the employment opportunity will afford a viable on-the-job training opportunity.

6. Presently employed workers cannot be fully or partially displaced by a Transitional Job participant, including a partial displacement such as a reduction in hours, wages, or employment benefits.
7. Previous employees and immediate family members of the business may not be placed in a Transitional Job at that site.

III. Pre-Award Review

- Preliminary Review – Transitional Jobs Worksite Agreement

Business Services Rep must have potential employers complete and sign.

- Responsibility Questionnaire - Business Services Rep must have Company complete and sign. Staff will then review responses to Questionnaire for any “yes” responses to the questionnaire. In the event of “Yes” responses to the Questionnaire, Tompkins Workforce Investment Board staff will need to be contacted for determination as to whether the “Yes” responses preclude doing an OJT.

If a business has completed a Responsibility Questionnaire within the past year all that is needed is an attestation that the information presented in the form remains true, accurate and complete. This form is attached.

- Registration with the New York Department of State’s Division of Corporations. This search can be conducted on-line at: http://www.dos.state.ny.us/corps/bus_entity_search.html.
- Federal OSHA records. These records are found on-line at: <http://www.osha.gov/pls/imis/establishment.html>. Search under New York State only.
- New York State Department of Labor (NYSDOL) records. Requests for evaluation of this information should be made to OJTduediligence@labor.ny.gov using the OJT Due Diligence Request Form. The Subject Area should read “Local Area OJT Due Diligence Request – [Business Name]. The appropriate Regional Business Services Representative (Catherine Leonard) should be listed in the cc line of the requesting email. Upon receipt of the request, NYSDOL will send a confirmation email to the requesting local area. It is strongly recommended that the request be made as early in the process as possible in order to allow for a timely response. NYSDOL will provide a response to due diligence requests via email within three business days from the time confirmation of receipt is provided. Due to the confidential nature of the information in question, NYSDOL will not provide any specifics for the categories of information. Instead, NYSDOL, will provide a response of “Found to be Responsible,” “Issues pending,” Or “Not Found to be Responsible” via email for each entity. The records to be checked will include:
 - Unemployment Insurance records.
 - WARN notices.
 - Open investigations with NYSDOL’s Public Works, Labor Standards and/or Safety and Health Divisions.
 - Workers’ Compensation Insurance and Disability Insurance coverage.

This review provides a snapshot of the organization at the point in time the review takes place. The information reviewed is updated on an annual basis. For this reason, the review is considered valid for one year beginning on the date the review is completed. The organization

must undergo a new due diligence review if it wishes to enter into a new contract. Copies of all documents must be retained in a separate folder for the business. The folder will need to contain all vetting documents including:

- Transitional Jobs Worksite Agreement
- Signed, Completed Responsibility Questionnaire
- Printed Search of New York Department of State's Division of Corporations Website
- Printed Search of Federal OSHA Records website

IV. Identification of Training Candidates

Transitional Jobs participants must meet the current eligibility criteria as defined by the Workforce Innovation and Opportunity Act under its current definitions. The individual must receive an Employment Plan. The potential trainee should also express an interest in the area of work and the ability and willingness to learn and/or perform the skills outlined in the job description. They must be "chronically unemployed" or have an "inconsistent work history. An individual is considered to be "chronically unemployed" or to "have inconsistent work history" if the individual has sporadic, problematic and inconsistent work histories within the last two or more years prior to engaging in the program, based on factors such as the date of last employment, types of skill and wage levels for past jobs, the number of jobs the individual has held within the past two years, the types of prior employment history (contract, temporary, permanent, etc.).

V. Occupational Requirements

The following guidelines will determine whether a position may be considered a suitable employment opportunity for Transitional Jobs:

1. A detailed job description must be provided by the business outlining the required skills and education for the position. If necessary, Tompkins Workforce New York staff will assist with the development of the job description using resources such as O*Net (www.onetonline.org).
2. Transitional Jobs funding cannot be used to fund commission-based positions.
3. The position must not include political or religious activity.

VI. Composition of the Transitional Jobs Agreement

The Transitional Jobs agreements will include, among other information, the following components:

1. Business Name, Address, Telephone number and FEIN
2. Contact name and title
3. Supervisor name and title (if different)
4. Job description
5. Start and end dates, hours, and pay
6. Responsibilities of all parties

VII. Duration and Wages

Participants will be paid living wage for Tomkins County, New York currently at \$15.32/hr and will be employees of Tompkins County for the duration of the agreement.

The maximum length of Transitional Jobs agreement will be 24 weeks or up to 480 hours (whichever is shorter) and the minimum of 20 hours and the maximum hours per week is 35 to 40.

A business may hire the participant upon completion of the transitional job assignment, or before. An On-the-Job Training may be considered for participants offered on-going employment and lacking the necessary skills to perform the job.

VIII. Monitoring

1. Monitoring visits will be made to the work site to assess the participant's progress and insure that the terms and conditions of the agreement are being met. The participant's progress will then be noted in the Comments section of OSOS.
2. Phone and email monitoring may also be conducted throughout the agreement period. This monitoring will preferably occur with both the business representative and the participant. Progress will then be noted in the Comments section of OSOS.
3. A formal Progress Report that evaluates both the Job Specific and Work Maturity skill is required upon completion of the Transitional Job experience if the participant is not hired for on-going employment. It is preferable this report be reviewed by supervisor with participant prior to the experience ending.

IX. Exceptions

1. Transitional Jobs are being offered when funds are available and will be suspended once funds are exhausted. This policy may be changed at any time with little or no notice.