**Local Workforce Area 10 Policy Letter 19-01**

**Transitional Jobs**

**Purpose**

To provide guidance regarding the provision of Transitional Jobs (TJ)

**II. Effective Date**

10/7/19, Approved 11/19/19

**III. Background**

Transitional jobs (TJ) are a type of work experience and are considered an individualized career service. TJs are time-limited and paid work experiences that are subsidized up to 100 percent. These jobs are in the public, private, or nonprofit sectors and are only available for individuals with barriers to employment who are chronically unemployed or have an inconsistent work history.

Transitional Jobs are differentiated from other types of work experiences by the following characteristics:

* TJs are paid, subsidized work experience, unlike other types of work experience that may be unpaid;
* TJs will establish work history while demonstrating success in an employer-employee relationship and developing skills, whereas the purpose of other types of work experience may be to explore various career options or to assess the participant’s employability; and
* TJs will be combined with the provision of comprehensive career services and supportive services.

Similar to other types of work experience, neither the employer-of-record nor the host employer where the TJ participant performs his or her work duties is required to employ the participant after the conclusion of the TJ (retention is preferred for the benefit of the worker and employer).

The local area may use up to 10 percent of adult and dislocated worker formula funds for TJs as well as national dislocated worker grant (NDWG) funds received for this purpose. National emergency grant funding spent on TJs will be spent in accordance with any requirements, limitations or maximum expenditure amounts related to TJs that may apply to each such grant.

1. **Participant Eligibility**

To receive TJs, participants must be either chronically unemployed or have an inconsistent work history, in addition to qualifying as “individuals with barriers.”

Chronic unemployment is defined as:

 1) being low income (as defined in WIOA Section (3) (36));

2) having a work history showing primarily minimum wage employment;

3) employment with wages below the local living wage definition;

 4) currently claiming and/or having exhausted unemployment insurance (UI) benefits; and

5) other unemployment-related qualifying criteria such as “inconsistent work history” (i.e. periods of over six months without employment, more than three jobs within a six-month period, etc.)

1. **Appropriate Host Employers**

The local area will identify appropriate employers that are:

a) Committed to helping participants;

b) Able to provide work-skills development in coordination with the comprehensive career services and supportive services provided by the OhioMeansJobs Richland and OhioMeansJobs Crawford Centers;

c) Willing to retain participants when feasible; and

d) Compliant on their state and federal business taxes.

Every effort will be made to offer TJ placements in occupations that are determined to be in-demand at the State or local level, as described in WIOA §3(23).

1. **Wages and Benefits**

TJ participants will be compensated at the same pay rates as similarly situated trainees or employees.  Participants must also be covered either by state workers' compensation or by relevant on-site insurance.

1. **Length of Agreement**

If a position is full-time (meaning 30 or more hours per week), the maximum length of the agreement is 26 calendar weeks. Any part-time position (less than 30 hours) has a maximum of 52 weeks. A 26-week extension may be granted if the participant is an individual with a disability who requires more time to establish a sufficient work history and to develop employable skills.  TJ placement will be offered for a minimum of 26 calendar weeks for full and /or part time placements.

**B. Complementary Services**

TJs will be combined with comprehensive career services and supportive services as appropriate. The comprehensive career services provided to TJ participants may include basic career services in conjunction with any of the following:

1. short-term prevocational services (i.e. communication skills, interviewing skills, soft skills, etc.
2. basic skills remediation
3. short term, specific skills training (i.e. basic computer skills).

**C. UC Requirements**

For participants receiving UC benefits, TJs will fulfill the definition of work relief or work training under OAC 4141-5-05, and thus are not covered employment that are required to be reported to the UC program. The local area will ensure that employers and participants follow necessary protocol to ensure cooperation with the UC program, as listed below:

* Employers-of-record will be notified that they should not report earnings/wages to the UC program for TJ participants, including for-profit employers;
* Employers will be notified that TJs are not covered employment for the purposes of UC, which can be done through the worksite agreement, an informational flyer, or other means deemed sufficient by the local area;
* For TJ participants receiving UC benefits, wages earned from TJs are considered income that must be reported to ODJFS and may therefore impact the claimant’s ongoing eligibility for UC benefits; and
* Enrollment in a TJ does not waive a participant’s mandatory work search requirements under the UC program.

**VI. Reporting**

All participants will be determined eligible and enrolled in WIOA (either the local adult or dislocated worker program or a discretionary grant), and any data that is required to be reported will be entered into the State’s designated case management reporting system (OWCMS). TJ participants may be co-enrolled in other state-funded WIOA programs.

The local area’s fiscal agent will report all TJ expenditures using the appropriate sub-project code, so that the expenses may be isolated, properly reported, and tracked against the limits on TJ spending by grant.

**VII. Monitoring**

Through the State’s monitoring system and during the onsite monitoring review of the local area, ODJFS’s program and fiscal monitors will review the local area’s TJ implementation, including participant file review and testing of actual expenditures, for compliance with all applicable federal and state laws, regulations, and guidance letters (including this guidance letter).  Any findings will be addressed through the State’s monitoring resolution process.