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**CUSTOMIZED TRAINING POLICY**

The Workforce Innovation and Opportunity Act Customized Training (CT) Program is administered in Lucas County under the authorization of the Workforce Innovation and Opportunity Act and the Rules and Regulations governing Customized Training that are defined in 29 USC 3101, Section 3 (14).

The Lucas County Workforce Development Board (WDB), by approving this CT policy, confirms that employers who meet the policy requirements may be approved for CT contracts, upon the recommendation of the Department of Planning and Development Director or Designee.

**Definitions of Customized Training**

Customized Training (CT) is defined in 29 USC 3101, Section 3 (14) as training that meets the following conditions:

1. that is designed to meet the specific requirements of an employer (including a group of employers);
2. that is conducted with a commitment by the employer to employ an individual upon successful completion of the training; and
3. for which the employer pays—
  - a. a significant portion of the cost of training, as determined by the local board involved, taking into account the size of the employer and such other factors as the local board determines to be appropriate, which may include the number of employees participating in training, wage and benefit levels of those employees (at present and anticipated upon completion of the training), relation of the training to the competitiveness of a participant, and other employer-provided training and advancement opportunities; and
  - b. in the case of customized training (as defined in subparagraphs (1) and (2)) involving an employer located in multiple local areas in the State, a significant portion of the cost of the training, as determined by the Governor of the State, taking into account the size of the employer and such other factors as the Governor determines to be appropriate.

**CT Contract Requirements**

1. All CT must be sponsored by an employer, or group of employers. Training providers may apply for CT grants on behalf of an employer with verification from the employer and when the contract is performance-based.
2. CT grants will be awarded for the following purposes:
  - a. The introduction of new technologies

- b. Introduction to new production or service procedures
- c. Promoting incumbent workers to new jobs that require additional skills that, in turn, result in the creation of additional entry-level positions within the company
- d. Other appropriate purposes, as identified by the WDB, US-DOL, or the State (Workforce Division)
3. Upon completion of CT, trainees must:
  - a. Be employed at least 32 hours per week in the training position
  - b. Must be receiving at least \$13.50 per hour or \$28,080 upon completion of the training
4. The minimum wage requirement may be waived by DPDD/D if the CT is designed to divert potential lay-off(s) or downsizing.
5. LCDPD will also consider current US-DOL "wage-gain" performance goals when determining an acceptable CT wage.
6. LCDPD will follow current US-DOL and/or State credential requirements.

**Conflict of Interest**

1. A member of the Board may not vote on a matter under consideration by the Board regarding the provision of services by such member, an entity that such member represents; or that would provide direct financial benefit to such member or the immediate family of such member.
2. A member of the Board may not engage in any other conduct determined by the Governor to constitute a conflict as specified in the State plan.
3. A Board member may not use or authorize the use of authority or influence of the office to secure anything of value or the promise or offer of anything of value that is of such a character as to manifest a substantial and improper influence upon the Board member with respect to that person's duties.
4. No Board member shall solicit or accept anything of value that is of such a character as to manifest a substantial and improper influence upon the Board member with respect to that person's duties.
5. All Board members must comply with the provisions and requirements of R.C. Chapter 102 and the conflict of interest provisions of the Bylaws of the Governor's Workforce Policy Board and the Lucas County Workforce Development Board.
6. The training occupation should have career advancement potential and must be in accordance with the trainee's Individual Employment Plan (IEP).

**Requirements for Businesses Applying for CT Funding**

1. CT contracts can be written with employers from the public, private non-profit, or the private for-profit business sectors.
2. Businesses must be in operation, or have planned a new or expanded operation in Lucas County through the LCDPD in order to be eligible for funding.

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3. Businesses must furnish information, including the company's IRS identification Number, State Unemployment Insurance Account Number, and proof that all trainees will be covered under Workers' Compensation.
  4. Union concurrence is required in order for some employers to enter CT contracts. In these cases, the employer must provide the LCDPD with written concurrence from the Union for the CT. CT shall not impair on any existing contract for services or collective bargaining agreements. Contracts cannot be written for employers who are currently involved in labor disputes.
  5. Businesses applying for CT may not involve religious or political activity.
  6. Businesses must certify that neither the employing company nor its Principals are presently disbarred, suspended, proposed for disbarment, declared ineligible, or excluded from participation by any Federal Department or Agency.
  7. CT trainees shall not displace (including a partial displacement, such as a reduction of hours of non-overtime work, wages, or employment benefits) any current employee, as of the date of the training contract.
  8. CT funding will not be approved for any business that has relocated until 120 days after the relocation, if that relocation resulted in the loss of employment for any employee at the previous location, and the previous location was within the United States.

#### **Customized Training Services Requirements**

1. Training services may be provided through community colleges, school districts, area vocational/technical centers, state universities, or licensed and certified private institutions.
2. CT training may be conducted at the business facility, the training provider's facility, or at a combination of sites.
3. Instructors can be either full or part-time educators, or professionals from the business community.
4. Reimbursable training expenses include:
  - a. Instructors'/Trainers' salaries for the actual time of instruction/training
  - b. Curriculum development costs
  - c. Delivery of training by an eligible provider
  - d. Textbooks and manuals
  - e. Materials, supplies, and training equipment
  - f. Travel expenses necessary for training
5. Non-reimbursable training expenses include:
  - a. Purchases of capital equipment (production equipment)
  - b. Purchases of computers or other technology to be used for non-training activities upon completion of the training
6. Successful completion of the CT will be documented, at a minimum, through an employer signed "Certificate of Completion". LCDPD may also require, from the

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employer, an additional "industry-accepted" credential as required and defined by current US-DOL and/or State standards.

**Training Budget Requirements**

1. All training budgets, including reimbursements, must be pre-approved by the Department of Planning and Development Director or Designee (DPDD/D).
2. Businesses must, at a minimum, provide a fifty percent (50%) match for the expenses of the training project. This required employer percentage of costs may be reduced if allowable by current US-DOL or State approved regulations and/or waivers.
3. Businesses must keep accurate records of the project's implementation process, trainees' attendance, and trainees' performance in the training program.
4. Billing for business reimbursements will be handled by the LCDPD or the current fiscal agent. Businesses must submit reimbursement requests on a timely basis, as determined and defined by the LCDPD fiscal staff. Final reimbursement requests (invoices) should be submitted by the employer within sixty (60) days of the CT end date.
5. Any discovery of inconsistencies in attendance, pay, or training costs shall be handled immediately by the Business Development staff member assigned to the business, and reported immediately to the DPDD/D.
6. The LCDPD reserves the right to terminate or reduce funding, in whole or in part, if sufficient State or Federal funds are not available, with a thirty (30) day notice.