



PROCEDURES

**PROCEDURES
NUMBER #03
PY2022-23**

Title:	Workforce Innovation and Opportunity Act (WIOA) Incumbent Worker Apprenticeship (IWA)		
Effective:	September 27, 2022	Revised:	N/A
Supersedes:	N/A	Version:	001

I. PURPOSE

Through the Incumbent Worker Apprenticeship (IWA), businesses may be reimbursed for related technical training and/or wage reimbursement utilizing on the job training by employing these operational procedures.

II. BACKGROUND

Registered Apprenticeship is an “earn and learn” training model that combines work-based learning with related classroom instruction using the highest industry standards. Registered Apprenticeship programs can be used as a strategy to build career pathways for individuals in order to obtain or retain employment that leads to self-sufficiency, as well as ensure a talent pipeline for businesses.

By cultivating Incumbent Workers in an apprenticeship program, the business can develop a talent pipeline by promoting existing employees as they develop the necessary skills through the apprenticeship training, while bringing in new employees into the entry level positions. A business can retain a skilled workforce, increase job satisfaction, and reduce turnover; or deter the need to lay off employees by assisting the incumbent workers in obtaining the skills and credentials necessary for the business to remain competitive. Businesses may receive funding through Incumbent Worker Apprenticeship reimbursements for either/or the related technical training or wage subsidies to assist in offsetting the costs of training the incumbent worker.

III. OVERVIEW

This procedure describes the process of obtaining the necessary documentation required for an incumbent worker and employer to participate in an apprenticeship program. It details the data entry into Employ Miami-Dade (EMD) / Employ Monroe for all incumbent workers that have satisfied the WIOA eligibility.

IV. ACRONYMS

CFR	Code of Federal Regulations
CSSF	CareerSource South Florida
EM	Employ Monroe
EMD	Employ Miami-Dade
FEIN	Federal Employee Identification Number
IWA	Incumbent Worker Apprenticeship
REACH	The Reimagining Education and Career Help Act
RTI	Related Technical Instruction
WIOA	Workforce Innovation and Opportunity Act


V. PROCEDURES

A. Incumbent Worker Criteria for Participation

An incumbent worker does not have to meet the eligibility requirements for career and training services for the Adult and Dislocated Worker program.

- I. To participate in the IWA an incumbent worker must meet the following requirements:
 - a. Must be currently employed and meet the Fair Labor Standards Act requirements for an employer-employee relationship, and has an established employment history with the employer for six months or more before the signature date of the application;
 - b. Must meet the apprenticeship program eligibility requirements;
 - c. Must be in need of additional training to avert a layoff, be retained by their employer, or promotes the upward mobility of the participant;
 - d. Must be at least 18 years of age;
 - e. Must be a citizen of the United States or a non-citizen whose status permits employment in the United States; and
 - f. Must be a Florida resident working at a physical location in Florida.

B. Creating and Closing the Activity in Employ Miami-Dade (EMD) / Employ Monroe (EM)

- I. Enrollment Process to create the activity in EMD / (EM)
 - a. Click the plus sign icon  to expand the WIOA Application section, as shown below.

- ii. Select/confirm the **LWDB** and then the **Office Location** to determine the list of services and activities displayed in the next section.
- e. In the Enrollment Information section, select the appropriate Grant code, **if applicable**. The displayed values result from the previous Customer Program Group selections; if it was for a group related to added grants (e.g., Incumbent Worker Adult in the previous figure), and then the added grants will be in the drop-down list.

Activity Code	Activity Title	Description	Provider Type
102	***Initial Assessment	Initial analysis of a customer's strengths and weaknesses in relation to Education work history, vocational skills.	PS - Office Services
104	***Job Search Workshop	Not Provided	PS - Office Services
105	***Job Finding Club	Not Provided	PS - Office Services
282	NISP test service 3	Not Provided	PS - Office Services
107	***Provision Of Labor Market Research	Not Provided	PS - Office Services

Selecting an Activity Code from the General Information Tab

- i. Click the Select Activity Code link to open an activity list, and then select the desired activity or service. The **Activity Code** and description fields are filled in (see figure above).
- ii. Enter the **Actual Begin Date** and the **Projected End Date**.
- iii. Select the applicable learning type for **Service Provided Virtual/Online** from the drop-down list (see figure below).

Service Provided Virtual Online Field and Options

- f. The Service Provider tab lets you identify the provider of the service selected on the General Information tab, and select the service, course, or contract name, and optionally select the physical location and contact person associated with the service.

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General Information	Service Provider	Enrollment Cost	Financial Aid	Enrollment Budget	Budget Planning	Closure Information
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Enrollment Service Provider Information i

Enrollment Summary: Enrollment ID: 2900
 Username: ██████████EN_2016
 WIOA Application ID: 160382999
 Youth Funding-In-School Youth
 Activity Code: 102 - ***Initial Assessment
 Activity Dates: 11/18/2021 - 11/18/2021

*** Provider:**
[\[Select Provider\]](#)

*** Service, Course or Contract:**
[\[Select Service, Course or Contract\]](#)

Provider Locations:

[\[Select Provider Locations\]](#)

Provider Contacts:
[\[Select Provider Contacts\]](#)

*** Occupational Training Code:** Not Applicable

To complete the Service Provider tab:

- i. Click the Select Provider link, and then click a desired Provider Name link to select it. The list of providers matches the Customer Program Group, LWDB, Office, and Activity Code selected on the General Information tab.
- ii. Click the Select Service, Course or Contract link, then click the desired Service, Course or Contract Name link from the list of services the selected provider offers.
- iii. To choose another location, click the Select Provider Locations link, then click the desired location. This is not required. If there is only one location for the provider, it will be prefilled in the Provider Locations field.
- iv. To select the provider representative that staff may contact for assistance, click the Select Provider Contacts link, then click the desired contact person. If there is only one provider contact for the location, the name will be prefilled in the Provider Contacts field.
- v. If this is for a training-related service/activity, click the Occupational Training Code link to open a pop-up window to search for an occupation by keyword, and then select an occupation from the displayed list. The code will display as the Occupational Training Code.
- vi. Click **Next** to save the data and continue to the next tab.
 - a) Since this activity or service does not require funding, the next four financial-related tabs are skipped and the Closure Information tab displays.
 - b) When you come to the Closure Information tab for a new activity,

simply leave the fields blank and click **Finish**.

- II. Closing the Activity or Service Enrollment in EMD / EM
 The Closure Information tab defines the outcome at the conclusion of the service and is completed only when staff are making a final closure of the service/course enrollment.

Note: If an activity is not yet complete and you come to this tab when adding a service, simply leave the fields blank and click Finish.

To close an activity or service enrollment:

- Find and assist the desired individual, then navigate to their Programs tab.
- Click the plus sign icon **+** to expand their Program Application panel.
- Click the plus sign icon **+** to expand the Activities / Enrollments / Services panel. All added services will display in a table.
- Click the Close link in the Actual End Date column for the desired activity.
- Enter the **Last Activity Date**. This cannot be a future date.
- Select the appropriate Completion Code.
- To document the client's service enrollment record, click the Add a new Case Note link, complete the applicable fields, and click Save to return to the previous page.
- Click Finish. (see figure below).

PE	EE	Status	Activity / Provider	Actions	Funding / Grant	Projected Begin Date	Actual Begin Date	Projected End Date	Actual End Date
✓	✓	○	300 - Occupational Skills Training - Approved Provider (ITA) St. Petersburg College-Cs	W	Adult	N/A	04/14/2021	05/31/2022	Close
✓	✓	○	181 - Supportive Service - Transportation Assistance - Pinellas Office Services - General	W	Adult	N/A	04/14/2021	05/31/2021	Close

Activities/Enrollments/Services Summary Table

The Closure Information tab displays (see figure below).

General Information | **Service Provider** | **Enrollment Cost** | **Financial Aid** | **Enrollment Budget** | **Budget Planning** | **Closure Information**

Closure Information

Enrollment Summary: Enrollment ID: 5088682
 Username: @JEANM
 WIOA Application ID: 164284647
 Activity Code: 300 - Occupational Skills Training - Approved Provider (ITA)
 Activity Dates: 9/9/2021 - 3/30/2022

Last Activity Date: 01/10/2022 Today

Completion Code: Successful Completion

Case Notes: Add a new Case Note | Show Filter Criteria

ID	Create Date	Action
No data found.		

<- Back Finish Delete



Closure Information Tab

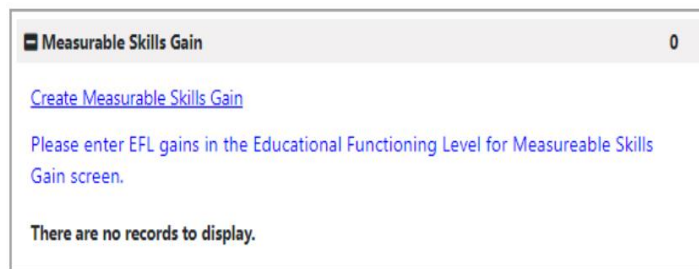
- The Programs tab redisplay with the activity closed in the Activities / Enrollments / Services panel of the WIOA Application.

PE	EE	Status	Activity / Provider	Actions	Funding / Grant	Projected Begin Date	Actual Begin Date	Projected End Date	Actual End Date
✓	✓	C	301 - On-the-Job Training N & J Technologies, Inc dba Net A Corp	W	Adult	N/A	04/25/2022	06/30/2022	06/28/2022 Successful Completion
✓	✓	C	205 - Develop Service Strategies (IEP/ISS/EDP) Youth Co-Op / West Dade	W	Adult	N/A	04/07/2022	04/07/2022	04/07/2022 Successful Completion

C. Adding Measurable Skill Gains

Measurable Skill Gains is a metric to show improvements that occurred during program participation. The Skill Achievement form is designed for use in programs where Measurable Skill Gains performance measures apply. This includes Title I WIOA, as well as Title II Adult Education, Title III Wagner-Peyser, and Title IV Vocational Rehabilitation.

- I. To record a Measurable Skill Gains for a participant in EMD\EM:
 - a. Click the plus sign icon  to expand the WIOA Application section, as shown above
 - b. Click the plus sign icon  to expand the Measurable Skill Gains panel and click the Create Measurable Skill Gains link (see figure below).



Measurable Skills Gain Panel and Link

The Skill Achievement entry page displays (see figure below).

- c. Select/confirm the local workforce development board (**LWDB**) and **Office Location**.
- d. In the Skill Attainment Information section, select the **Skill Type** attained.
- e. Enter the **Date Skill Attained**.

Measurable Skills Gain 5

[Create Measurable Skills Gain](#)

Please enter EFL gains in the Educational Functioning Level for Measurable Skills Gain screen.

Search:

Date Achieved	Skill Type	Last Edited By	Last Edited Date	Action
02/28/2020	Training Milestone	Smith, John (GSISA0)	02/28/2020 2:54 PM	Edit Print
05/29/2020	Skills Progression	Smith, John (GSISA0)	05/29/2020 12:46 PM	Edit Print
04/13/2021	Training Milestone	Smith, John (GSISA0)	04/13/2021 2:03 PM	Edit Print
04/14/2021	Skills Progression	Smith, John (GSISA0)	04/14/2021 10:39 AM	Edit Print
05/08/2021	Credits Attained for EFL OR Completed Secondary Ed and Enrolled in Post-Secondary Ed	Langoria, Evan (11537537)	04/13/2021 2:03 PM	Edit Print

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Measurable Skills Gain Panel with Entries in Table

D. Employer Eligibility Criteria

- I. Businesses that meet the following criteria are considered eligible and may, subject to available funding, enter into an agreement:
 - a. Be a Program Sponsor or an Official Employer Partner of a registered apprenticeship program;
 - b. Attest that the outcome of the Incumbent Worker Apprenticeship program will be an advancement in the Standard Occupational Classification (SOC), resulting in a promotion, earnings gain and job classification change for the apprentice;
 - c. Located in the State of Florida;
 - d. Be a public, private non-profit, or private sector entity;
 - e. Has operated at its current location for at least 120 days prior to the application date (as verified by Florida Department of State Division of Corporations (www.sunbiz.org));
 - f. Demonstrate financial viability;
 - g. Maintains Workers Compensation Insurance (if applicable);
 - h. Have at least one full-time employee that must be a Florida Resident and a W-2 employee;
 - i. The employee's W-2 must match the company name that is on the application;
 - j. The employer must attest to the eligibility of each worker in their contract and must provide evidence that the employee meets the 6 month employment history criteria.

E. IWA Agreement

- I. Businesses approved for funding by CareerSource South Florida (CSSF) must enter into an agreement with the Service Partners and commit to completing the training as proposed in the application and/or as negotiated with the Service Partner.
 - a. Individuals may not commence the apprenticeship and businesses may not make training-related purchases prior to the CSSF approval of the IWA agreement. The agreement is executed when signed by all required

- parties. i.e., Service Partner and business.
- b. The appropriate signatory for the business shall be either the owner where the business is incorporated; a partner where the business is a partnership; or an officer if the business is a corporation. Corporations sometimes designate signatories other than their officers. In such instances, written authority transferring signatory responsibilities must be obtained by the individual responsible for developing the agreement.
 - c. An IWA agreement shall be limited to the period of time required for a participant to become proficient in the Registered Apprenticeship Program occupation for which the training is being provided. IWA agreements shall not exceed the length of time of the parameters to complete the registered apprenticeship program or the negotiated timeframe of the reimbursement.
 - d. The following sections must be pre-negotiated and included in the IWA agreement:
 - i. Percentage of reimbursement;
 - ii. Frequency of reimbursement;
 - iii. Timeframe of achievement of credentials
 - e. Service providers are responsible for reviewing the agreement with the business prior to submission to CSSF to ensure that the business wholly understands and is familiar with the reporting requirements of said agreement.
- II. Funding and Compensation
- a. For purposes of the provision of the IWA Contract, training is provided for the incumbent worker apprentice in exchange for the reimbursement of **up to** forty (40) percent of the employee wages for a negotiated period of time, for the extraordinary costs of providing the training and supervision related to the registered apprenticeship program. A portion of the costs of the Related Technical Instruction (RTI) may also be reimbursed as a provision of this policy.
 - b. Businesses will be reimbursed by Service Providers. Wage reimbursement shall coincide with the business' pay period or a negotiated timeframe. The final wage reimbursement shall be made upon the completion of the last competency and when proper documentation has been provided.
 - c. Hours (even if paid) for illness, holidays, plant downtime or other events in which no work occurred shall not be considered part of the training period.
 - d. The individual's credential attainment must be adequately documented by the business and Service Partner.
- F. Reporting Requirements
- I. The business must submit timely reports, in order to receive reimbursement:
 - a. Businesses shall establish and maintain records with respect to all

matters covered by the IWA agreement. Businesses shall retain such records for at least five (5) years from the date of final payment, or until all related federal and state audits or litigation is completed, whichever is later. Businesses shall allow public inspection of all documents, papers, letters or other materials made or received by the business in conjunction with the IWA agreement, unless the records are exempt under federal or state law.

- b. Businesses must certify that all information provided for the purposes of requesting reimbursements and reporting is true and accurate.
- c. Businesses must agree to comply with the provisions of the Certification Regarding Lobbying, certification regarding Debarment, Suspension and Other Matters, Public Entity Crime, Florida Clean Indoor Air Act and the Certification regarding a Drug-Free workplace.
- d. Businesses shall comply with the nondiscrimination and equal opportunity provisions of the federal or state law.

VI. LIMITATIONS/PROHIBITIONS

- I. IWA agreements are considered inappropriate and shall not be written under the following circumstances:
 - a. Training in occupations with high turnover.
 - b. The source of income is solely from tips, commissions, or piecework. At least minimum wage must be the base wage in order to enter into an agreement under said conditions.
 - c. Agreements may not be written with any business which results in the dislocation of an employee currently employed (as of the date of the participation). This includes partial displacement such as reduction in hours of non-overtime work, wages or employment benefits under Title I WIOA.
 - d. IWA agreements shall not be submitted within thirty (30) days of the end of the program year (PY) end date unless funding permits, as in the instance of "carry over" funds.
 - e. To train employees in occupations where the work is solely home based.
 - f. No officer, employee, agent, or representative of the Business or Service Partner may charge an incumbent worker a fee for the placement in or to a training funded under an IWA agreement.
 - g. Funds may not be used to directly or indirectly assist, promote or deter union organizing.
 - h. Funds shall not be used for any political activity, lobbying of federal, state or local legislators, or to promote or oppose unionization.
 - i. The IWA agreement must not impair existing contracts for services or collective bargaining agreements. When a program or activity authorized under Title I of WIOA would be inconsistent with a collective bargaining agreement, the appropriate labor organization and employer must provide written concurrence before the agreement is initiated.

- j. The incumbent worker shall not be employed to carry out the construction, operation, or maintenance of any part of any facility that is used for sectarian instruction or as a place for religious worship (except with respect to the maintenance of a facility that is not primarily or inherently devoted to sectarian instruction or religious worship, in a case in which the organization operating the facility is part of a program or activity providing services to participants.

VII. FREQUENTLY ASKED QUESTIONS (FAQ)

- Q. When is can an employee considered an incumbent worker?
 - A. The employee must be on the payroll of the employer for at least six months prior to participation date.
- Q. If an employer has more than one location, is multiple applications necessary?
 - A. Multiple applications are needed if the businesses have a different Federal Employee Identification Number (FEIN). Only one application is needed for different locations with the same FEIN.
- Q. How is the training instructor selected?
 - A. The employer may use one of the approved Training Vendors or choose an entity of their choice.
- Q. Is classroom training mandatory?
 - A. No, training can be conducted at the employer's work site.

VIII. EXCEPTIONS

Exceptions to this policy, or any part thereof, must be approved in writing by the SFWIB Executive Director.

IX. DEFINITIONS

Incumbent Worker

An individual currently employed, meets the Fair Labor Standards Act requirements for an employer-employee relationship, and has an established employment history with the employer for six months or more. An incumbent worker does not have to meet the eligibility requirements for career and training services for the Adult and Dislocated Worker program.

Incumbent Worker Apprenticeship (IWA) Contract

For purposes of the provision of the IWA Contract under this policy, a business may be reimbursed an amount of the wage rate of the incumbent worker for a negotiated period of time for the extraordinary costs of providing the apprenticeship training, and additional supervision related to the apprenticeship. Reimbursement for wages under an IWA agreement is based on the hourly wage rate and applicable percentage rate for competencies/skills in the training outline in accordance with the law.

Registered Apprenticeship

Registered Apprenticeship is a structured way for companies to promote career development for their employees. Registered apprenticeships are business driven, “earn while you learn” models that combine on the job training with job-related instruction which lead to the attainment of industry-recognized skills standards.

X. RESOURCES

- a. Workforce Innovation and Opportunity (WIOA), 133(b),134 (c)(3)(A)(i), 134(d)(4) and 188
- b. WIOA Final Rule, 20 Code of Federal Regulations (CFR) Parts 680.210(a)(1-2); 20 CFR 680.780 - 820, 680. 830-840, 682.210(b), 682.320(a), 683.200(g)
- c. Training and Employment Guidance Letter (TEGL) 19-16
- d. CareerSource Florida Administrative Policy 100
- e. The Reimagining Education and Career Help (REACH) Act (House Bill 1507) - Florida, Chapter No. 2021-164
- f. CareerSource South Florida Administrative Policy Number ____: “Workforce Innovation Opportunity ACT (WIOA) Incumbent Worker Apprenticeship (IWA)”