



INSTRUCTION LETTER

REGIONAL INSTRUCTION NUMBER: WIOA R17-08

TO: SC Works Operator/Service Provider

SUBJECT: WIOA Transitional Jobs Policy

DATE ISSUED: May 3, 2018 **DATE EFFECTIVE:** Immediately **DATE EXPIRES:** Indefinitely

PURPOSE: The purpose of this policy is to articulate how Transitional Jobs (TJ) training funds are to be administered under the Workforce Innovation and Opportunity Act (WIOA). TJ are part of a portfolio of training services available to job seekers. TJ seek to connect individuals with chronic unemployment or an inconsistent work history with opportunities to build work place skills and job history.

BACKGROUND: According to §680.190, a “Transitional Job” is one that provides paid work experience that is:

- a. Time-limited, wage-paid and subsidized;
- b. In the public, private, or non-profit sector;
- c. Provided to individuals with barriers to employment who are chronically unemployed or have an inconsistent work history;
- d. Combined with comprehensive employment and supportive services; and
- e. Designed to help participants establish a work history, demonstrate success in the workplace, and develop skills that lead to entry into and retention in unsubsidized employment.

Individuals with “**chronic unemployment**” or an “**inconsistent work history**” are those who:

- a. Have been unemployed for 13 consecutive weeks or longer;
- b. Were unemployed at least 26 of the past 52 weeks; or
- c. Have held three or more jobs in the past 52 weeks and are currently unemployed.

Transitional jobs must be combined with other career services to include supportive services. Accordingly, the participants must speak or meet with their talent development specialist on a regular basis, as agreed upon prior to the start of the transitional job. All transitional job requests are subject to review by the Upstate Workforce Board or Greenville County Workforce Development Board and must be reasonable, based on factors such as trainee experience, appropriate hourly wages, trainee needs, work history and any other relevant factors.

The SC Department of Employment and Workforce (SCDEW) does not create a one-size-fits all approach to transitional jobs, and considers these decisions are best made by the Local WDB. SCDEW declines to propose a minimum or maximum duration for transitional jobs.

The wage defined in this policy is set by the Local Workforce Board. It can be up to 100 percent; however, it is allowable for employers to provide a percentage of the cost of a transitional job above the rate paid by the local area.

The Board recognizes that according to Section 134(d)(5), not more than ten percent of the adult and dislocated worker funds may be used to provide transitional jobs to individuals.

As outlined in §680.190, the work-based learning and work experiences offered through the transitional job may not be used to fill openings that resulted from a labor dispute.

PARTICIPANT ELIGIBILITY: In order to be eligible for a transitional job, the individual must:

- Have a high school diploma or its equivalent.
- Be enrolled in SC Works Greater Upstate WIOA Adult or Dislocated Worker program.
- Have been determined to be an individual with a barrier to employment and a history of chronic unemployment or an inconsistent work history.
- Be currently unemployed.

EMPLOYER ELIGIBILITY: Potentially eligible employers able to participate as a Transitional Job placement site include:

- Private-for-profit businesses, private nonprofit organizations, and public sector employers.

An employer will NOT be eligible to participate as a WIOA transitional job placement site if:

- The employer has any other individual on layoff from the same or substantially equivalent position.
- The transitional job would infringe upon the promotion of or displacement of any currently employed worker or a reduction in their hours.
- The same or a substantially equivalent position is open due to a hiring freeze.
- The employer is a private for-profit employment agency, i.e. temporary employment agency, employee leasing firm or staffing agency.

POLICY: *General WIOA Transitional Job Requirements*

- Business Solutions should execute an agreement with the employer detailing the position.
- Business Solutions will check to make sure that the transitional job does not fill an opening resulting from a labor dispute.
- The Talent Development Specialist (TDS) will ensure that the transitional job is combined with comprehensive career services.
- The TDS will also ensure participants receive appropriate supportive services.
- The TDS and Business Solutions will ensure the transitional job placement contributes to the occupational development and upward mobility of the participant.
- Per WIOA regulations (20 CFR 683.200(g)), “no individual may be placed in an employment activity if a member of that person’s immediate family is directly supervised by or directly supervises that individual.” For the purpose of this policy, the term “immediate family” includes a spouse, child, son-in-law, daughter in-law, parent, mother in-law, father-in-law, sibling, brother-in-law, sister-in-law, aunt, uncle, niece, nephew, stepparent, stepchild, grandparent, and grandchild.
- Transitional job length must be time limited (no more than 6 months and preferably 8 to 12 weeks) and require at least fifteen (15) but not more than forty (40) hours of work per week.
- All transitional job placements must pay a minimum of \$12.00 per hour.
- There is no expectation that the employer providing the transitional job placement will hire the participant permanently.
- If the participating employer(s) has recently relocated, resulting in the loss of employment of any employee of such business at the original location in the U.S., TJ placements may not be granted to the employer(s) until after 120 days have passed since the relocation.
- TDS will speak or meet with the client on a regular basis as agreed upon prior to the start of the transitional job.

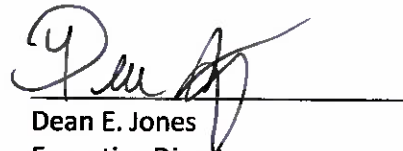
- TDS will track and keep records of the client's progress and the supportive services received during the duration of the transitional job.
- The Upstate Workforce Board and the Greenville County Workforce Development Board will provide oversight through regular reviews of the transitional job requests to make sure they are reasonable, based on factors such as trainee experience, appropriate hourly wages, trainee needs, work history and any other relevant factors.

ACTION: All staff are to read this policy and being utilizing transitional jobs when appropriate.

INQUIRIES: Should you have any questions regarding this instruction, please contact Eva Anagnostis at 864-467-8142, TTY:711, or at eanagnostis@greenvillecounty.org Dana Wood at 864-596-2028 ext. 100, TTY 711, or at wood@upstateworkforceboard.org .



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Source: §680.190 and 134(d)(5) and other WIOA transitional job policies from multiple states.