



# Dutchess County Workforce Investment Board

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[www.dcwib.org](http://www.dcwib.org)

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**“Building Partnerships for Workforce Solutions”**

## **CUSTOMIZED TRAINING AND INCUMBENT WORKER TRAINING POLICY**

**NAME OF POLICY:** Customized Training and Incumbent Worker Training Policy  
**APPROVAL DATE:** October 12, 2017  
**EFFECTIVE DATE:** October 12, 2017

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### **POLICY:**

Customized Training contracts are targeted but flexible and may be written for training that relates to the introduction of new technologies, the introduction to new production or service procedures or the upgrading to new jobs that require additional skills; workplace literacy; or other appropriate purposes as identified by Local Board. The Employer is responsible for determining the skill sets needed for the employees as well as establishing a training contract with a qualified training provider to meet the needs of the Employer. Customized and Incumbent Worker Training contracts are reimbursement only and must be completed and signed before the training begins.

### **WORKFORCE INNOVATION OPPORTUNITY ACT (WIOA) FUNDS MAY NOT BE USED OR PROPOSED TO BE USED FOR:**

- The encouragement or inducement of a business, or part of a business, to relocate from any location in the United States, if the relocation results in any employee losing his or her job at the original location; and
- Customized training, skill training, or On-the-Job Training or company specific assessment of job applicants or employees of a business or a part of a business that has relocated from any location in the United States, until the company has operated at that location for 120 days, if the relocation has resulted in any employee losing his or her job at the original location.

### **DEFINITION: CUSTOMIZED TRAINING IS TRAINING:**

- Designed to meet the special requirements of an employer or group of employers (herein referred to as “Employer”).
- Conducted with a commitment by the Employer to employ, or in the case of those who are currently employed, to continue to employ participants after successful completion of the training program and
- Where the employer must pay for a significant share of the cost of training

### **CUSTOMIZED TRAINING OF AN ELIGIBLE EMPLOYED INDIVIDUAL MAY BE PROVIDED FOR AN EMPLOYER OR A GROUP OF EMPLOYERS WHEN:**

- The employee is not earning a self-sufficient wage as determined by the DCWDB and
- Job seekers or employed workers meet the training eligibility criteria in accordance with established DCWDB policy and



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- The customized training relates to the introduction of new technologies, introduction to new production or service procedures, upgrading to new jobs that require additional skills, workplace literacy, or other appropriate purposes identified by the Local Board and must increase the competitiveness of the employee or employer.

### **DEFINITION: INCUMBENT WORKER TRAINING IS TRAINING:**

1. Designed to meet the special requirements of an employer (including a group of employers) to retain a skilled workforce or avert the need to lay off employees by assisting the workers in obtaining the skills necessary to retain employment.
2. Conducted with a commitment by the employer to retain or avert the layoffs of the incumbent worker(s) trained.
3. For which the employer pays for 50% of the cost of the training, as determined by DCWDB.
4. Is limited based on available funding.

### **INCUMBENT WORKERS**

Must be employed at time of participation and have an employment history with the employer for six (6) months or more.

### **DCWDB GUIDELINES PROCESS:**

- Employer will be required to complete application, sign contract, and any other required forms in the Customized Training and Incumbent Worker Training Policy
- Exclusion of capital improvement reimbursement
- Customized and Incumbent Worker training can be used for upgrading, retention, or increase of wages
- The DCWDB is the decision makers for determining approval for business request of customized training and Incumbent Worker Training
- Training decision appeals are brought to the DCWDB.
- Businesses applying for Customized and Incumbent Worker training must have a physical presence in Dutchess County, NY.
- Employees in customized and incumbent worker training programs must be under the \$25.00 hourly based on a 40-hour week.
- Funds provided to employers for customized and incumbent worker training must not be used to directly or indirectly assist, promote, or deter union organizing.
- The maximum amount for reimbursement of Customized and Incumbent Worker Training is set by the Workforce Development Board.
- The maximum annual amount for Reimbursement is set by the Workforce Development Board and will be made only for WIOA enrolled training attendees.

REFERENCES: 20 CFR §§ 680.770, TEGL 19-16, 20 CFR 683.260, Training Eligibility Policy