

WIOA Incumbent Worker Training Policy

WIOA Section 680.780 - 840 defines incumbent worker training as training:

- (a) 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;
- (b) Conducted with a commitment by the employer to retain or avert the layoffs of the incumbent worker(s) trained, and
- (c) For which the employer(s) pays for the nonfederal share of the cost of providing training to their incumbent workers. The amount of nonfederal share is outlined in WIOA section 134(d)(4)(ii)(C) and shall not be less than:
 - i. 10 percent of the cost, for employers with not more than 50 employees;
 - ii. 25 percent of the cost for employers with more than 50 employees but not more than 100 employees; and
 - iii. 50 percent of the cost for employers with more than 100 employees.
- (d) The nonfederal share provided by an employer participating in the program may include the amount of wages paid by the employer to a worker while the worker is attending a training program. The nonfederal share may be in cash or in kind.
- (e) The WDB may allocate up to 20 percent of the combined adult and dislocated worker allocations for incumbent worker training.
- (f) The State may use statewide activities or rapid response funds for incumbent worker training

An incumbent worker:

- (a) Has an established employment history with the employer for 6 months or more without any wage subsidy for a minimum of 6 months with the following exception: In the event the training is being provided to a cohort of employees only a majority of employees have to meet the 6 months or more employment requirement.
- (b) An incumbent worker does not have to meet the eligibility criteria for career and training services for adults or dislocated workers unless they are also enrolled as a participant in the WIOA adult or dislocated worker programs.

Employer criteria to be considered:

- (a) The characteristics of the individuals in the program;
- (b) The relationship of the training to the competitiveness of an individual and the employer;
- (c) There must be a clearly defined career pathway for enrolled employees.
- (d) The wages paid must be at least \$2/hour over minimum wage;
- (e) There must be some kind of benefits offered;
- (f) The training must result in at least \$1/hour or 5% over current wage whichever is higher for successful employees; and