



Capital Region Workforce Development Board

Incumbent Worker Training Policy

Adopted June 20, 2024

PURPOSE

The purpose of this policy is to communicate employer and employee eligibility for Incumbent Worker Training is funded with Workforce Innovation and Opportunity Act (WIOA) funds or statewide Rapid Response funds, and the employer cost sharing requirements for incumbent worker training. Incumbent Worker Training (IWT) is a type of work-based training and upskilling designed to ensure that workers can acquire and develop the skills necessary to succeed in the local workforce and maintain employment.

BACKGROUND

Under the Workforce Innovation & Opportunity Act (WIOA), IWT is designed to meet the special requirements of an employer or a group of employers to retain an existing skilled workforce or avert the need to lay off employees by assisting the workers in obtaining the skills necessary to retain employment. This training is conducted with a commitment by the employer(s) to retain the incumbent worker(s) trained.

The Capital Region Workforce Development Board (CRWDB) may allocate up to 20% of its combined WIOA Title I Adult and Dislocated Worker formula funds for incumbent worker training and may also use WIOA Title I statewide activities funds on incumbent worker training if those funds have been provided by the Governor for that purpose. The CRWDB may also use state Rapid Response funds provided by the State for incumbent worker training to avert layoffs.

POLICY PROCEDURES

- Training is conducted with a commitment by the employer or group of employers, to retain individuals on successful completion of the training.

- The training must relate 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 Board.
- Training time may not exceed 26 weeks.
- Employer will pay for not less than 50% of the training costs remaining after any other funding sources have been used.
- **\$3,000 maximum** per individual per training project with priority given to employers that have not used this funding source within the prior 12 months.
- The trainee must reside OR the employer must have a location in Albany, Rensselaer, or Schenectady County.

Allowable Training Costs

IWT funds may only be used for the cost of providing training, including:

- The costs of outside vendors or in-house trainers to provide on-site or off-site classroom training.
- Textbooks or training materials directly associated with the training.
- Distance learning fees (i.e., the fee for the training slot and software required to deliver the training program).
- Credentialing exam fees.

Employer/Training Provider Partnership

Pre-Screenings are provided under an agreement with an employer, group of employers or training provider. A pre-screening should be conducted to ensure that the employer or training provider meets the minimum standards and can provide both training and employment to a participant. If additional training is needed, the Service Provider should ensure that a third-party training provider is included in the agreement.

Employee Eligibility

- Employees being trained are not seasonal nor being trained for seasonal employment.
- Must meet the Fair Labor Standards Act requirements for an employer-employee relationship.
- Employee is working full time (i.e. minimum of 32 hours per week) and has been employed by the employer for 6 months or more.

Employer Requirements

- The business has not exhibited a pattern of failing to provide participants with employment upon successful completion.
- The business verifies WIOA funds will not be used to relocate operations in whole or in part.

- The business has operated at its current location for at least 120 days. If less than 120 days and the business relocated from another area in the U.S and individual(s)/employees were not laid off at the previous location as a result of the relocation.
- Must meet the Fair Labor Standards Act requirements for an employer-employee relationship.
- Funds must be used for High and Higher in Demand Occupations which lead to the retention of employment opportunities enabling the participant to remain economically self-sufficient and which will contribute to the occupational development and upward mobility of the participant.
- Funding is in exclusion of capital improvement reimbursement.
- IWT can be used for upgrading, retention, or increase of wages of employees.
- Employees in Incumbent Worker Training programs must be under the CRWDB \$25.00 hourly self-sufficiency rate.

The WDB Executive Director can grant an exception to the above policies on a case-by-case basis if it meets the additional needs of the customer. Each exception must be approved in writing and kept in the customer's file

REFERENCES

- [Workforce Innovation and Opportunity Act, §§ 3\(14\), 106, 134\(c\)\(3\)\(D\), Public Law 113- 128](#)
- [20 C.F.R. § 680.790](#)

FOR INQUIRIES

CRWDB Executive Director

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