
Workforce Investment Act State Compliance Policies

Section: 5.8

Incumbent Worker Training and Pilot Projects

February 2009

I. Introduction:

Section 134(a)(3) of the Workforce Investment Act (WIA) and §665.210(d)(1) and §665.220 allow the Governor's Reserve funds to be used for establishing and implementing innovative incumbent worker training programs and pilot projects.

Pilot projects for this purpose are defined as "innovative workforce development projects," which may not be eligible for funding under the traditional WIA funding titles (i.e., youth, dislocated workers, adults). Pilot projects approved for funding should demonstrate the capacity to enhance the state's workforce system.

On an annual basis, the State Workforce Investment Board (SWIB) may allocate a portion of the reserve for awarding competitive incumbent worker training or pilot project grants to Nevada businesses and entities meeting the requirements outlined in this policy.

These funds will provide grants to assist businesses or other entities in upgrading skills of currently employed workers or testing innovative models for future development that may assist in keeping Nevada's workforce competitive in a global economy and to retain existing businesses in Nevada.

II. Eligibility Requirements for Grant Awards:

A. Existing Nevada businesses that:

- Have been in operation in Nevada for at least three (3) years prior to application date;
- Have at least twenty-five (25) full-time employees;
- Are current on all state obligations;
- Demonstrate financial viability;
- Provide a 50 percent matching contribution to the project;
- Demonstrate a commitment to retaining operations and employees in Nevada; and
- Are willing to contribute to and participate in the workforce investment system through incumbent worker or pilot project training. **OR**

- B. Local Workforce Investment Boards (LWIBs), non-profit organizations, or trade organizations that:
- Demonstrate a strong business or industry connection;
 - Demonstrate financial viability;
 - Provide a 50 percent business matching contribution to the project; and
 - Are willing to contribute to and participate in the workforce investment system through pilot project training.

III. Funding Priorities for Grant Awards:

Priority will be given to applicants:

- Whose application addresses a strategy to avoid a significant layoff; or
- Whose application identifies a model which may prove to make Nevada's current or future workforce more competitive; or
- Whose application addresses a means by which employees will achieve a significant upgrade in skills; or
- Whose industries or programs have been targeted by the SWIB, and
- Whose application addresses a significant occupational demand, and demonstrates strong partnerships with LWIB(s) in the identification, development, and delivery of the project.

IV. Role and Responsibilities of the LWIBs:

- A. Nevadaworks, the northern Nevada LWIB and the Southern Nevada Workforce Investment Board will be the grant recipient and fiscal agent on behalf of the program/project operator in all applications in their respective local areas for State Governor's Reserve funding.
- B. LWIB staff will assist the organization(s) in developing and submitting their proposals to the SWIB.
- C. All completed applications will be reviewed by an LWIB review team prior to submission to the SWIB Budget Committee to provide feedback to the organization regarding the proposed project and provide technical assistance as required.
- D. LWIB review team will provide a written recommendation with every application submitted to the SWIB regarding the proposed project.
- E. After awards are made, the LWIB will enter into a contract with the Department of Employment, Training and Rehabilitation (DETR).
- F. The LWIB will submit requests for reimbursement on behalf of the project operator and ensure that all required backup documentation is maintained.

- G. LWIB staff will ensure that reports are submitted monthly to DETR/Employment Security Division's Workforce Investment Support Services Unit (WISS) as outlined in section VII of this policy.
 - H. LWIB staff will be responsible for fiscal and programmatic oversight of projects to ensure goals and objectives of the project are being met and project operator is in compliance with the Workforce Investment Act and the corresponding regulations. (20CFR Part 652 et al)
- V. Program Requirements:**
- A. All proposals and applications for State Governor's Reserve funds must be submitted to the LWIB for consideration by their review committee.
 - B. The LWIB will be designated grant recipient and fiscal agent on behalf of the program/project operator in all applications for State Governor's Reserve funds.
 - C. The program has been structured to be flexible to meet the applicant's training objectives. Public, private, or in-house training providers may be used depending on the nature of the training.
 - D. **Matching Requirements:** The applicant must provide in-kind or cash match contributions to the training program. An in-kind contribution is a contribution of goods or services provided by the applicant. For example, unreimbursed wages paid to the trainees during the training period, equipment purchased to be used in the training project, materials and supplies, facility costs, and travel.
 - E. **Allowable Types of Training:** Industry or company specific, technical, and skills upgrading.
 - 1. Customized occupational training that is designed to meet the special requirements of an employer (including a group of employers) that is conducted with a commitment by the employer to continue to employ an individual upon successful completion of the training.
 - 2. Customized on-the-job training relating to the introduction of new technologies, introduction to new production or service procedures, or upgrading to new jobs that require additional skills.
 - 3. Any combination of on-the-job training and classroom instruction necessary to provide the worker the necessary skills to perform the job or upgrade their skills.
 - F. **Training/Project Delivery:**
 - 1. Location of Incumbent Worker Training/Pilot Project – Training can be conducted at the applicant's facility, at a public or private training provider site, or at a combination of sites that best meet the needs of the organization.
 - 2. Training Instructors/Providers - Instructors can be full or part time educators, subject matter experts, WIA eligible training providers, or professional trainers.

VI. Grant Requirements:

Costs Allowable For Program Funding:

- Tuition and registration fees
- Instructors'/trainers' salaries
- Curriculum development
- Textbooks, manuals, materials, and supplies
- On-the-job trainee wage reimbursements, limited to 50 percent
- Training certifications, licenses, credentials
- Training software and information technology
- Renovation, alteration, and repairs required for training program operations
- Employment generating and economic development activities directly related to training of individuals

Costs Not Eligible For Funding:

- Costs incurred prior to the approval of the contract by the Board of Examiners.
- Construction or purchase of facilities or buildings
- Business relocation expenses
- Employment or training in sectarian activities

- A. **Request for Reimbursement:** Grantees must submit monthly reimbursement requests with required documentation that must be pre-approved by the lead state agency, WISS, prior to payment.
- B. **Contracts:** LWIBs will enter into an agreement with the lead state agency, DETR, which includes details of the training project as proposed in their application.
- C. Grantees will be required to keep accurate financial and performance records of the project.
- D. All awards will be performance based with specific measurable performance benchmarks and outcomes including the completion of training and job retention. The SWIB may establish additional performance measures to ensure compliance with the outcomes proposed in the application.
- E. Although these projects will not be held to the 80 percent expenditure rate at the end of the first year of the contract, the SWIB Board Liaison will review project performance and expenditure rate on a regular basis to ensure program advancement and expenditures are within the parameters of the approved project application and project budget.
- F. For projects not performing according to their application, the SWIB Budget Sub-Committee may elect to terminate the contract within thirty (30) days after the grantee has been issued a written notice.

- G. Final payment will be withheld until receipt and acceptance of the final report of all performance criteria specified in the application have been achieved.

VII. Reporting:

- A. **Quarterly:** Grantees will be required to submit a narrative report describing the activities for the period, including the names and social security numbers of all employees participating in the training, their job or position title, and wages paid during and upon completion of the training.
- B. **Final:** Sufficient documentation must be submitted to enable the grant administrator to determine the performance outcomes as described in the application prior to final reimbursement being approved.

VIII. Modifications to Proposals:

- A. LWIBs will assist organizations in submitting a written modification request to the SWIB if one or more of the following conditions occurs during the period of the contract:
 1. A substantial decrease of 15 percent or more in the number of workers to be served;
 2. Re-direction of program focus due to significant changes in economic conditions;
 3. A major change in the organizational responsibilities which may impact access to activities or the level of activities outlined in the proposal;
 4. Goals need to be renegotiated due to unforeseen factors that impact performance such as changes in economic conditions, characteristics of workers, or planned activities;
 5. Policy decisions that substantially impact the proposed scope of work;
 6. A substantial change in the budget line items contained in the application.

Note: *Modifications submitted by the LWIB on behalf of the organization will be considered at the next SWIB Budget Committee meeting.*

IX. Appeals Process:

- A. An unsuccessful applicant will have the right to appeal a decision by the SWIB by notifying the Chair of the State Workforce Investment Board in writing within fifteen (15) working days from the date of the letter of notification. In addition, a copy should be sent to:

Director, Department of Employment, Training and Rehabilitation
500 E. Third Street
Carson City, NV 89713

- B. Although the steps outlined in WIA State Compliance Policy 4.4 are the formal process, the state encourages informal resolution at all levels.

X. Application Process:

- A. The SWIB will accept applications on an on-going basis for consideration for funding four (4) times a year. Application receipt deadline dates will be at the close of business on January 15, April 15, July 15, and October 15 (if the 15th falls on a weekend or a holiday, the deadline will be the next business day).
- B. Applications can be obtained by contacting the LWIB or can be accessed via DETR's website <www.nvdetr.org>
- C. One original and six (6) copies of the signed completed application should be submitted to the appropriate LWIB:

Northern Nevada

Nevadaworks
6490 S. McCarran Blvd
Building D1, Unit 30
Reno, NV 89502 (775) 337-8600

Southern Nevada

Southern Nevada Workforce Investment Board
7251 W. Lake Mead Blvd. #200
Las Vegas, NV 89128
(702) 638-8750

In addition, the LWIBs will submit six (6) copies to:

Tamara Nash
State Workforce Investment Board Liaison
Department of Employment, Training and Rehabilitation
500 East Third Street, Suite 200
Carson City, NV 89713

- D. A review team, consisting of representatives from the LWIBs and the lead state agency, DETR, will evaluate applications within thirty (30) business days after the closing date for the application cycle.
- E. The SWIB Budget Committee may retain applications received after all available funds are awarded one-year from date of receipt if additional grant funds become available.