

## **DWDB**

### **Memorandum For Record**

**From: William J. Potter, Executive Director, Delaware Workforce Development Board (DWDB)**

**Date: September 9, 2016**

**SUBJECT: Policy #2016003 Incumbent Worker Training**

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1. Purpose. This policy provides guidance concerning incumbent worker training requests. It is effective upon receipt.

2. Background. The Workforce Innovation and Opportunity Act of 2014 and WIOA Final Rule section 680.700 thru 680.850 authorize the use of work-based training methodologies. This policy is the first step in leveraging this increased flexibility. Incumbent Worker Training is training that:

1. Is designed to meet the special requirements of an employer (including a groups 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 workers trained; and
3. for which the employer pays for a share of the training (see Employer Contribution)

3. Procedure. Employers will submit Worker Training requests to DOL-DET, which will processed the requests as described below. DOL-DET will consider the following when determining eligibility of an employer to receive funds for incumbent worker training:

1. Characteristics of the participants in the program;
2. The relationship of the training to the competitiveness of a participant and the employer;
3. Number of employees being trained (at least 5) may need to increase because this is not enough for a cohort for a trainer;
4. Wage (including benefits) increase for employees who successfully complete training;
5. Demonstration of need for training; and
6. Additional criteria set by DET policy ensuring compliance with applicable state and federal laws.

4. Employer Contribution Factors. DOL DET will use the guidelines established in WIOA sec. 134(d)(4)(D)(ii)(I-III) to determine required employer contributions. In all cases, the wages paid to workers while attending training are considered part of the employer contribution.

5. Additional Considerations. In all cases, upon receipt of incumbent worker request, DOL-DET shall consult with Delaware's Economic Development Office to discuss request, obtain further information, and determine if support (financial or other) has been provided or can be provided. The use of incumbent worker or other work-based training initiatives are reportable to the DWDB. DOL-DET will provide the follow minimum elements of information to the board at scheduled meetings or upon request.

1. Number of requests for incumbent worker training
2. Request detail (employer, type of training requested)
3. Result of request (funded or not)

6. Supplementation of this policy by DOL-DET is authorized.

7. Point of Contact. I am the point of contact at 302-761-8163 or [William.potter@state.de.us](mailto:William.potter@state.de.us)

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