

1201 INTRODUCTION

This section provides Pinal County Workforce Development Board's (PCWDB) policy for business services provided by ARIZONA@WORK Pinal County partners. Workforce Innovation and Opportunity Act business services strategy includes serving businesses by assisting with recruiting, retaining and developing workforce talent to meet business' needs.

Incumbent Worker Training, Customized Training, On-the-Job (OJT) Training, are provided through the Business Advancement Through Training (BATT) program in Pinal County and are classified as "Work-Based Training".

- **Incumbent Worker Training** helps Pinal County businesses upgrade the skills of their current employees.
- **Customized Training** helps businesses train new employees.
- **On-the-Job Training (OJT)** is training of an individual in the public or private sector, while engaged in productive work, which provides the knowledge and skills essential to the full and adequate performance of the job in which WIOA Title I-B funds pay for a percentage of the participant wages.

This policy includes descriptions of business services provided by ARIZONA@WORK Pinal County and eligibility requirements for businesses to receive specific business services.

1202 AUTHORITY

- Workforce Innovation and Opportunity Act (WIOA) of 2014 (P.L. 113-128)
- 20 Code of Federal Regulations(CFR) Part 680 and 681
- Training and Employment Guidance Letter (TEGL) 16-16
- Training and Employment Guidance Letter (TEGL) 19-16

1203 BUSINESS SERVICES

Service providers may provide business services and strategies that meet the workforce investment needs of area businesses, in accordance with WIOA Title I-B statutory requirements and consistent with Federal cost principles. Business

services include required business services, in addition to optional specialized business services.

Business services may be provided through effective business intermediaries working in conjunction with the WIOA Title I-B Adult and Dislocated Worker Programs service provider, or through the use of economic development, philanthropic, and other public and private resources in a manner determined appropriate by the PCWDB and in cooperation with the State.

.01 Business Service Strategies

Service providers may also engage in the following business service strategies:

- A. Developing and implementing industry sector strategies (including strategies involving industry partnerships, regional skills alliances, industry skill panels, and sectoral skills partnerships);
- B. Customized assistance or referral for assistance in the development of a registered apprenticeship program;
- C. Developing and delivering innovative workforce investment services and strategies for area businesses, which may include career pathways, skills upgrading, skill standard development and certification for recognized postsecondary credential or other business use, and other effective initiatives for meeting the workforce investment needs of area business and workers;
- D. Assistance to area businesses in managing reductions in force in coordination with rapid response activities and with strategies for the aversion of layoffs; which may include strategies such as early identification of firms at risk of layoffs, use of feasibility studies to assess the needs of and options for at-risk firms, and the delivery of employment and training activities to address risk factors;
- E. The marketing of business services to appropriate area businesses, including small and mid-sized businesses; and
- F. Assisting businesses with accessing local, State, and Federal tax credits.

.02 Required Business Services

- A. Service Providers must make labor exchange activities and labor market information available to local businesses, including:
 - 1. Appropriate recruitment and other business services on behalf of businesses, including information and referrals to specialized business services other than those traditionally offered through the one-stop delivery system;
 - 2. Provision of accurate workforce and labor market employment statistics information relating to local, regional and national markets, including:
 - a. Job vacancy listings in labor market areas;
 - b. Information on job skills necessary to obtain the vacant jobs listed; and
 - c. Information relating to local occupations in demand and the earnings, skill requirements, and opportunities for advancement for those jobs.
- B. Service provider staff must enter all job orders into the AJC System **within two business days receiving the job order.**
- C. Job orders must be shared with all ARIZONA@WORK partners to expand the job candidate base.
- D. Service providers staff must establish and develop relationships and networks with large and small businesses and their intermediaries.
- E. Service providers staff also must develop, convene, or implement industry or sector partnerships, in partnership with the PCWDB.

.03 Additional Business Services

The following business services may be provided to individual businesses, business associations, or other such organizations.

Additional business services are pre-hire services. These services are tailored for specific businesses offering in-demand employment opportunities, as described in the local plan and may include:

- A. Specialized screening and referral of qualified participants in training services to businesses;
- B. Specialized recruitment events and related services for businesses including targeted job fairs;
- C. Human resource consultation services, including but not limited to assistance with:
 - 1. Writing/reviewing job descriptions and employee handbooks;
 - 2. Developing performance evaluation and personnel policies;
 - 3. Creating orientation sessions for new workers;
 - 4. Honing job interview techniques for efficiency and compliance;
 - 5. Analyzing employee turnover;
 - 6. Creating job accommodations and using assistive technologies; or
 - 7. Explaining labor and employment laws to help businesses comply with discrimination, wage/hour, and safety/health regulations.
 - 8. Customized labor market information for specific businesses, sectors, industries or clusters; and
 - 9. Other similar specialized services, including work-based training.

.04 Allowability of Charging Fees for Business Services

- A. No fee may be charged for services provided in Section 1203.02, Required Business Services.
- B. A fee may be charged for services and strategies provided under Section 1203.01, Business Service Strategies, and Section 1203.03, Additional Business Services.
- C. Services provided under Section 1203.03 may be provided through effective business intermediaries working in conjunction with the WIOA Title I-B Adult and Dislocated Worker Programs service provider and may also be provided on a fee-for service basis or through the leveraging of economic development, philanthropic, and other public and private resources in a manner determined appropriate by the PCWDB.
- D. Service providers may examine the services provided compared with the assets and resources available within the ARIZONA@WORK Pinal County service delivery system and through its partners to determine an appropriate cost structure for services, if any.
- F. Any fees earned are recognized as program income and must be expended by the WIOA Title I-B program in accordance with WIOA, WIOA regulations, and Federal cost principles identified in 2 CFR 200.201.

1204 BUSINESS SERVICES TRACKING IN THE AJC SYSTEM

All services provided to business must be tracked in the AJC System to calculate the “*Effectiveness in Serving Employer*” Performance Measures. Services provided to businesses must be entered in the AJC system under the business’s account on the Contract Details page, by selecting the type of contact.

- A. All business services are listed on the “Types of Contact” drop down. Business services are defined in the [AJC Service Dictionary](#).
- B. In the AJC System, there are two separate enrollments for Incumbent worker training, Incumbent Worker-DW, and Incumbent Worker-Adult.

- C. Service Provider staff must select the enrollment based on the funding stream that is being used to pay for the training. Although WIOA Title I-B Adult or Dislocated Worker funds may be used to provide training, this does not mean that the participant must also be eligible for the WIOA Title I-B program. The enrollment must be seamless to the employer and employee. To enroll an incumbent worker, the AJC system must be completed, and in Demographics under the Employment Status section, the answer to question “*Are you employed and in need of additional training at your place of employment?*” must be answered affirmatively. The affirmative response will activate the links to the Incumbent Worker-DW, and Incumbent Worker-Adult.

1205 BUSINESS ADVANCEMENT THROUGH TRAINING PROGRAM

.01 BATT Program Requirements

- A. Work-based training provided through BATT program must result in transferable skills within the industry in which the worker is currently employed, and/or other growing industries within the Pinal County and in an occupation with a high potential for sustained demand or growth as determined by the PCWDB.
- B. Businesses must apply for the BATT Program funds through the service provider. Funds will be awarded based on the local availability of WIOA Title I-B funds at the time of the application.
- C. BATT program is offered through contracts between the business and the service provider.
- D. The BATT program is offered through reimbursable contracts, for which the business is reimbursed a percentage of the training costs.
- E. Once the service provider executes the contract with a business, a business has up to one year for all participants to complete the approved training program.
- F. Service providers and their business partners are encouraged to conduct the training as soon as is feasible so that the training may be completed by participants.
- G. Training programs developed via the BATT program must not:

1. Displace any currently employed workers (including a partial displacement such as a reduction in non-overtime work, wage, or employment benefits);
2. Impair an existing contract for services or a collective bargaining agreement;
3. Procure, contract for, or incur costs to be paid from WIOA Title I-B program funds prior to the start date, as determined by the date when all parties sign the contract;
4. Be provided to any company that has relocated within the previous 120 days of its application if the relocation has resulted in any employee losing his or her job at the original location;
5. Include proprietary training specific to a company, unless skills are determined to be transferable to other businesses or industries; and
6. Be used to directly or indirectly assist, promote, or deter union organizing, (including being used to fill open positions as a result of employee lock out or labor dispute.)

G. BATT Program participants must not:

1. Be required or permitted to work, be trained, or receive services in buildings or surroundings or under working conditions, which are unsanitary, hazardous or dangerous to the participants health or safety, as determined by the service provider. Participants employed or trained for inherently dangerous occupations, e.g. fire or police jobs shall be assigned to work in accordance with reasonable safety practices.
2. Be employed on the construction, operation or maintenance of any facility used or to be sectarian instruction or as a place of religious worship.

.03 Funding of the BATT Program

Effective Date: September 16, 2021

Revision Date:

BATT funding is limited to the amount approved by the PCWDB and all training is contingent on the availability of such funds.

A. Funding priority must be provided to:

1. First time business applicants;
2. Businesses in a qualified targeted or in-demand industry as determined by the PCWDB i.e. Advanced Manufacturing, Health Services, Transportation and Logistics, Renewable Energy, Aerospace and Defense, or Tourism;
3. Businesses whose application demonstrate a significant upgrade in employee skills;
4. Businesses who are seeking to use the program to train individuals with barriers to employment, defined in WIOA 3(24); and
5. Businesses whose application demonstrates a significant layoff avoidance strategy in the case of incumbent worker training.

B. Pinal County businesses may leverage customized training, incumbent worker training, On-the-Job Training and other business services to further advance its workforce and capacity. Businesses may use any or all of these services concurrently, however any funding made available through these services must not subsidize the other training and must not cover the same training. Receipt of other federal training funds through ARIZONA@WORK Pinal County Services must be disclosed in the work-based training application.

.04 Available Funding and Maximum Awards Amount

- A. Applications are reviewed on a first come, first served basis with priority given under certain circumstances (see “Funding Priorities”) until available funding has been awarded. A notification will be posted on [Pinal County’s homepage](#) and [ARIZONA@WORK Pinal County’s homepage](#) when funds are no longer available.

- B. Each year, the maximum funding levels for the BATT program will be posted on the ARIZONA@WORK Pinal County webpage.
- C. If a company has more than one location in Pinal County, they are to be treated as either one company or separate companies depending upon the Federal Employer Identification Number (FEIN). If the locations operate under different FEINs, they will be considered separate companies that will need to submit separate applications and receive separate awards.

.05 Technical Assistance

- A. Service provider staff is available to provide technical assistance on work-based training, from the application stage throughout contract execution, monitoring and fiscal closeout.
- B. Individuals or organizations, other than service provider staff, may assist a business or group of businesses in the application process for work-based training; however, that individual/organization may not be compensated with WIOA Title I-B funds.

1206 CUSTOMIZED TRAINING

Customized training is provided under the BATT program in Pinal County. Customized training is designed to meet the specific needs of a business or a group of businesses committed to employing an individual upon the successful completion of the training program, for which the business pays a significant portion of the training. Individuals who participate in customized training are not employed by the business prior to training, and must meet eligibility requirements for the [WIOA Title I-B Adult or Dislocated Worker](#) (sections 203 and 205.02) and be determined eligible for training services, or be determined eligible for the WIOA Title I-B [Youth Program](#) (section 506).

.01 Business Eligibility

- A. Businesses applying for customized training funding must meet the following criteria:
 - 1. Be a public, private non-profit or private sector business located in Pinal County;

2. In operation for a minimum of one (1) year prior to the application date.
 3. Commit to hire participants who successfully complete training,
 4. Adhere to applicable WIOA administrative requirements, as well as the nondiscrimination and equal opportunity provisions of [WIOA Section 188](#).
- B. The following businesses are not eligible to apply to receive training funds for customized training:
1. Entities whose administrations are comprised only of volunteers;
 2. Workforce Development Boards and their administrative entities. (Businesses that have representatives serving on the PCWDB are not prohibited from entering in BATT contracts); and
 3. Businesses engaged in the growth, harvest, storage, transport, distribution, use or otherwise providing cannabis for medical or recreational purposes, including cultivation facility, dispensary, and infusion facility.

.02 Required Funding Contribution By the Business

- A. The portion of the costs that business must contribute is dependent upon its size and must not be less than:
1. 10 percent of the training costs – for businesses with not more than 50 employees;
 2. 25 percent of the training costs – for businesses with more than 50 employees but less than 100 employees; or
 3. 50 percent of the training costs – for businesses with more than 100 employees.

- B. The service provider must take into consideration the following factors when determining the significant portion of the cost of training to be paid by the business:
1. The size of the business; and
 2. Other factors the service provider determines appropriate, which may include the:
 - a. Number of employees participating in the training;
 - b. Wages and benefit levels of the employees (at the beginning and anticipated upon completion of the training);
 - c. Relation of the training to the occupational competitiveness of the participant; and
 - d. Availability of other business-provided training and advancement opportunities.
- C. In the case of customized training involving a business located in multiple local areas in the state, DES will determine the significant portion of the training cost to be paid by the business.

.03 Required Documentation

Service providers must collect a signed BATT application and signed BATT attestation form from businesses applying for BATT program. The service provider is responsible for ensuring accuracy of information on the BATT application and BATT attestation form.

- A. The BATT application must include:
1. A description of how the training is related to the competitiveness of both the business and the employee(s) receiving training;
 2. A Training Development Plan that identifies the training needs and competencies that will be achieved for each individual selected to receive the training.
 3. Documentation of each member of the cohort's start date of the proposed training;

Chapter 1200	Business Services ARIZONA@WORK Pinal County
--------------	--

4. A description of industry-recognized credentials that participant may earn as a result of participating in the training;
5. Proof of Federal Employer Identification Number (FEIN), including an Internal Revenue (W-9) Request for Taxpayer Identification Number and Certification form or other IRS form that includes the FEIN.

B. The BATT attestation form must include:

1. Attestation that the employer has current Worker's Compensation and Employer's liability Insurance covering participants participating in Training that meets the following requirements:
 - a. The Worker's Compensation and Employer's Liability Insurance limits must cover at least the following amounts:

● Each Accident	\$100,000
● Disease – Each Employee	\$100,000
● Disease – Policy Limit	\$500,000
 - b. The Worker's Compensation and Employer Liability Policy must contain a waiver of subrogation against the service provider, Pinal County and the State of Arizona.
2. Attestation that employer has a current Commercial General Liability Insurance policy that meets the following requirements:
 - a. The Commercial General Liability Insurance policy must be endorsed with following additional insured language: *"The service provider, Pinal County and State of Arizona are each named as an additional insured with respect to liability arising out of the activities performed by, or on behalf of the Contractor."*
 - b. The Commercial General Liability Insurance policy must include bodily injury, property damage and broad form contractual liability coverage. Coverage limits must be at a minimum the following amounts:

Chapter 1200	Business Services ARIZONA@WORK Pinal County
---------------------	--

- General Aggregate
\$2,000,000
- Products – Completed Operations Aggregate
\$1,000,000
- Personal and Advertising Injury
\$1,000,000
- Each Occurrence
\$1,000,000

3. Attestation of no tax liability; and

4. Attestation of the employer’s registration with the E-Verify system.

.04 Training Requirements

Customized Training provides flexibility for the type(s) of training programs and the training provider(s), which is based upon the needs of the company and their overall workforce development needs. The business may choose the type of training and the training provider. More specifically, the training may be:

- A. Provided by one of Arizona's public or private educational institutions, a private training company or private instructor, a company employee, or a combination of training providers. Training Providers, institutions and instructors may be approved upon mutual agreement between the business and the service provider.
- B. The training provider’s website address and instructor resumes must be provided;
- C. At the company’s facility, at the training provider’s facility, or a combination of locations;
- D. Occupational skills training designed to meet the special requirements of a business or industry professional development (i.e., leadership training);
- E. Training in strategies to improve efficiency of business operations;

- F. Technical/hard skills training, such as computer software training; and
- G. Delivered in person, online or using a hybrid.

.05 Prohibited Types of Training

The following are examples of trainings that must not be funded:

- A. CPR and first aid;
- B. New hire orientation;
- C. Diversity and sexual harassment;
- D. English as a second language;
- E. Degree programs;
- F. Workplace literacy or soft skills; and
- G. Training that includes the purchase of equipment (such as iPads or other equipment/supplies/devices that can be used outside of training) in the cost of the training. Training that excludes the cost of equipment may be provided.

1207 INCUMBENT WORKER TRAINING

Incumbent Worker Training is designed to help ARIZONA@WORK Pinal County's workforce obtain the skills necessary to retain employment and prevent job loss.

Training activities are coordinated by the service provider in conjunction with businesses or a group of businesses (which may include businesses in partnership with other entities for delivering such training) for the purpose of assisting workers in obtaining the skills necessary to retain employment or avert layoffs.

.01 Incumbent Worker Training Benefits

- A. Benefits of incumbent worker training for employees include:
 - 1. Advancement opportunities;

2. Increased Job Opportunities; and
 3. Transportable/transferable skills.
- B. Benefits of incumbent worker training for businesses include:
1. Increased competitiveness;
 2. Skilled workforce;
 3. Increased productivity;
 4. Increased profit;
 5. Company growth; and
 6. Reduced turnover.

.02 Business Eligibility

- A. Businesses applying for incumbent worker funding must meet the following criteria:
1. Be a public, private non-profit or private sector business located in Pinal County;
 2. In operation for a minimum of one (1) year prior to the application date.
 3. Retain or avert the layoff of employees who successfully complete training.
 4. Adhere to applicable WIOA administrative requirements, as well as the nondiscrimination and equal opportunity provisions of [WIOA Section 188](#).
- B. The following businesses are not eligible to apply to receive Incumbent Worker Training funds:
1. Entities whose administrations are comprised only of volunteers;

2. Workforce Development Boards and their administrative entities (Businesses that have representatives serving on the PCWDB are not prohibited from entering in BATT contracts); and
3. Businesses engaged in the growth, harvest, storage, transport, distribution, use or otherwise providing cannabis for medical or recreational purposes, including cultivation facility, dispensary, and infusion facility.

.03 Incumbent Worker Eligibility

An incumbent worker does not have to meet the eligibility requirements for career and training services for the WIOA Title I-B Adult, Dislocated Worker or Youth Programs, unless they also are enrolled as a participant in the WIOA Title I-B Adult, Dislocated Worker or Youth Program.

Individuals who are in need of additional services must be referred to the WIOA Title I-B Adult, Dislocated Worker, or Youth Program for possible enrollment.

All individuals who receive Incumbent Worker Training through the BATT Program must meet the definition of “Incumbent Worker”. An Incumbent Worker is defined as an individual who:

- A. Is working for the business at least 37.5 hours per week or working part time and would prefer to work full-time, and receives a W-2;
- B. Has an employee-employer relationship that meets [Fair Labor Standards Act](#) requirements;
- C. Is at least 18 years of age;
- D. Is a citizen of the United States or a non-citizen whose status permits employment in the United States;
- E. Is an Arizona resident working at a physical location within Pinal County;
- F. Employed a minimum of six months before the signature date of the application or is part of a cohort of employees receiving

incumbent worker training, a majority of which was employed six months before the signature date of the application.

- G. Additional requirements for incumbent workers are included in the PCWDB's Training Services policy.

.04 Required Trainee Information

There are specific reporting requirements regarding the individual employees who have received training. All participants must register in the Arizona Job Connection (AJC) system to facilitate enrollment in a WIOA Title I-B program.

- A. For incumbent worker training:
1. At a minimum the following information will be required:
 - a. Legal Name of Trainee;
 - b. Verification of Citizenship Status;
 - c. Hourly Wage;
 - d. Date of Hire; and
 - e. Verification of the participant's Social Security Number must be requested but is not required.

.05 REQUIRED FUNDING CONTRIBUTION BY THE BUSINESS

- A. Business Contribution (also known as the Non Federal Share):
Businesses eligible for Incumbent Worker Training funding must provide a portion of the training costs. The portion of the costs that business must contribute is dependent upon its size and must not be less than:
1. 10 percent of the training costs – for businesses with not more than 50 employees;
 2. 25 percent of the training costs – for businesses with more than 50 employees but less than 100 employees; or

3. 50 percent of the training costs – for businesses with more than 100 employees.
- B. In addition to the size of the business, other factors that must be taken into consideration when establishing the business' contribution rate include:
1. The number of employees participating in the training;
 2. The wage and benefit levels of the employee (at the beginning and anticipated upon the completion of the training);
 3. The availability of other businesses-provided training and advancement;
 4. Credentials and skills gained as a result of the training;
 5. Layoffs avoided as a result of the training; and
 6. Utilization as part of a larger sector, and/or career pathway strategy.

.06 Required Documentation

Service providers must collect a signed BATT application and signed BATT attestation form from businesses applying for BATT program. The training provider is responsible for ensuring accuracy of information on the BATT application and the BATT attestation form.

A. The BATT application must include:

1. A description of how the training is related to the competitiveness of both the business and the employee(s) receiving training;
2. Descriptions of the proposed employee participants, including (name, job titles, current salaries, projected salaries upon completion of training, time with the company, and barriers to employment;

Chapter 1200	Business Services ARIZONA@WORK Pinal County
---------------------	--

3. A Training Development Plan that identifies the training needs and competencies that will be achieved for each individual selected to receive the training.
4. Documentation of each member of the cohort's start date of the proposed training;
5. A description of industry-recognized credentials that participant may earn as a result of participating in the training; and
6. Proof of Federal Employer Identification Number (FEIN), including an Internal Revenue (W-9) Request for Taxpayer Identification Number and Certification form or other IRS form that includes the FEIN.

B. The BATT attestation form must include:

1. Attestation that the employer has current Worker's Compensation and Employer's liability Insurance covering participants participating in Training that meets the following requirements:

- a. The Worker's Compensation and Employer's Liability Insurance limits must cover at least the following amounts:

- Each Accident \$100,000
- Disease – Each Employee \$100,000
- Disease – Policy Limit \$500,000

- b. The Worker's Compensation and Employer Liability Policy must contain a waiver of subrogation against the service provider, Pinal County and the State of Arizona.

2. Attestation that employer has a current Commercial General Liability Insurance policy that meets the following requirements:

- a. The Commercial General Liability Insurance policy must be endorsed with following additional insured language: *"The*

service provider, Pinal County and State of Arizona are each named as an additional insured with respect to liability arising out of the activities performed by, or on behalf of the Contractor."

- b. The Commercial General Liability Insurance policy must include bodily injury, property damage and broad form contractual liability coverage. Coverage limits must be at a minimum the following amounts:
- General Aggregate
\$2,000,000
 - Products – Completed Operations Aggregate
\$1,000,000
 - Personal and Advertising Injury
\$1,000,000
 - Each Occurrence
\$1,000,000
3. Attestation of no tax liability; and
4. Attestation of the employer's registration with the E-Verify system.

.07 Training Requirements

Incumbent Worker Training provides flexibility for the type(s) of training programs and the training provider(s), which is based upon the needs of the company and their overall workforce development needs. The business may choose the type of training and the training provider. More specifically, the training may be:

- A. Provided by one of Arizona's public or private educational institutions, a private training company or private instructor, a company employee, or a combination of training providers. Private training companies, institutions and instructors may only be used if approved by the service provider using criteria in section 603 ETPL Training Provider Qualifications in the **WIOA Title I-B Eligible Training Provider List (ETPL) policy**.

- B. The training provider's website address and instructor resumes must be provided;
- C. At the company's facility, at the training provider's facility, or a combination of locations;
- D. Occupational skills training designed to meet the special requirements of a business or industry professional development (i.e., leadership training);
- E. Training in strategies to improve efficiency of business operations;
- F. Technical/hard skills training, such as computer software training; and
- G. Delivered in person, online or using a hybrid.

.08 Prohibited Types of Training

The following are examples of trainings that must not be funded:

- A. CPR and first aid;
- B. New hire orientation;
- C. Diversity and sexual harassment;
- D. English as a second language;
- E. Degree programs;
- F. Workplace literacy or soft skills; and
- G. Training that includes the purchase of equipment (such as iPads or other equipment/supplies/devices that can be used outside of training) in the cost of the training. Training that excludes the cost of equipment may be provided.

1208 ON-THE-JOB TRAINING

On-the-Job Training (OJT) is provided under a contract with a business or registered apprenticeship program sponsor in the public, private non-profit or private sector. The business is reimbursed a percentage of the wage rate of the participant being trained while engaged.

.01 Business Eligibility

A. Businesses applying for OJT funding must meet the following criteria:

1. Be a public, private non-profit or private sector business located in Pinal County;
2. In operation for a minimum of one (1) year prior to the application date.
3. Commit to continue to employ OJT participants who successfully complete training.
4. Adhere to applicable WIOA administrative requirements, as well as the nondiscrimination and equal opportunity provisions of WIOA Section 188.

B. The following businesses are not eligible to apply to receive OJT funds:

1. Entities whose administrations are comprised only of volunteers;
2. Workforce Development Boards and their administrative entities (Businesses that have representatives serving on the PCWDB are not prohibited from entering in BATT contracts); and
3. Businesses engaged in the growth, harvest, storage, transport, distribution, use or otherwise providing cannabis for medical or recreational purposes, including cultivation facility, dispensary, and infusion facility.

.02 Wage Reimbursements

Effective Date: September 16, 2021

Revision Date:

- A. Businesses may be reimbursed up to 50 percent of the wage rate of OJT.
- B. Service providers may increase the reimbursement rate for the OJT contract up to 75 percent.
- C. Service providers must take into consideration the following factors when considering an increase to the OJT reimbursement rate up to 75 percent:
 - 1. The characteristics of the participants, including if the participants are individuals with barriers to employment, as defined in WIOA 3(24);
 - 2. The size of the business, with emphasis on small businesses, as defined by the Small Business Administration in 13 CFR 121.105;
 - 3. The quality of the business-provided training and of advancement opportunities, such as if the OJT contract is in an in-demand occupation and will lead to an industry-recognized credential, and other factors that the service provider, determines appropriate including:
 - a. The number of employees participating;
 - b. The wage and benefit level of the employee (both presently and completion); and
 - c. The relation of the training to the occupational competitiveness of the participant.
- D. Service provider staff must document the factors used when deciding the wage reimbursement level. Justification must be added to the AJC system under Employer Notes.

.03 OJT Participant Eligibility

- A. OJT participants must meet eligibility for the [WIOA Title I-B Adult or Dislocated Worker Programs](#) (see sections 205.1 WIOA Title I-B Adult Eligibility and 205.02 WIOA Title I-B Dislocated Worker Eligibility in the [WIOA Title I-B Adult and Dislocated Worker Programs Policy](#) and be

determined eligible for training services (see section 404 Program Participant Eligibility for Training Services in the [WIOA Title I-B Training Services policy](#), or be determined eligible for the [Youth Program](#) (section 506 Eligibility Determinations in the [WIOA Title I-B Youth Program policy](#)).

- B. Hiring candidates for the OJT contract cannot begin until your organization has received a copy of the executed contract. If the application is approved, the employer must inform the service provider of each new hire before the anticipated hire date, allowing the service provider to complete the eligibility and enrollment process for the grant reimbursement. Failure to inform the service provider of hires before the hire date may result in reduced or ineligible reimbursements.

.04 Required Documentation

Service providers must collect a signed BATT application and signed BATT attestation form from businesses applying for BATT program. The service provider is responsible for information included on the BATT application and the BATT attestation form.

A. The BATT application must include:

1. A description of how the training is related to the competitiveness of both the business and the employee(s) receiving training;
2. Descriptions of the job titles, job responsibilities and rate of pay;
3. A Training Development Plan that identifies the training needs and competencies that will be achieved for each individual selected to receive the training.
4. Documentation of each member of the cohort's start date of the proposed training;
5. A description of industry-recognized credentials that participant may earn as a result of participating in the training;
6. Proof of Federal Employer Identification Number (FEIN), including an Internal Revenue (W-9) Request for Taxpayer Identification

Chapter 1200	Business Services ARIZONA@WORK Pinal County
---------------------	--

Number and Certification form or other IRS form that includes the FEIN.

B. The BATT attestation form must include:

1. Attestation that the employer has current Worker's Compensation and Employer's liability Insurance covering participants participating in Training that meets the following requirements:
 - a. The Worker's Compensation and Employer's Liability Insurance limits must cover at least the following amounts:

● Each Accident	\$100,000
● Disease – Each Employee	\$100,000
● Disease – Policy Limit	\$500,000
 - b. The Worker's Compensation and Employer Liability Policy must contain a waiver of subrogation against the service provider, Pinal County and the State of Arizona.
2. Attestation that employer has a current Commercial General Liability Insurance policy that meets the following requirements:
 - a. The Commercial General Liability Insurance policy must be endorsed with following additional insured language: *"The service provider, Pinal County and State of Arizona are each named as an additional insured with respect to liability arising out of the activities performed by, or on behalf of the Contractor."*
 - b. The Commercial General Liability Insurance policy must include bodily injury, property damage and broad form contractual liability coverage. Coverage limits must be at a minimum the following amounts:
 - General Aggregate
\$2,000,000

Chapter 1200	Business Services ARIZONA@WORK Pinal County
---------------------	--

- Products – Completed Operations Aggregate
\$1,000,000
- Personal and Advertising Injury
\$1,000,000
- Each Occurrence
\$1,000,000

3. Attestation of no tax liability; and

4. Attestation of the employer’s registration with the E-Verify system.

1209 APPLICATION PROCEDURES

- A. Service providers must develop BATT program procedures, a BATT program application, BATT programmatic form, and contracts in alignment with this policy.
- B. Service providers must develop a BATT Application that is in alignment with this policy.
- C. Service providers must submit BATT procedures, application and forms to the PCWDB staff for review and approval.
- D. The BATT Application must be completed and emailed to the service provider or can be picked up or delivered. Mailed or faxed application will **not be accepted. Applications are available online and can be downloaded at www.pinalcountyz.gov or www.arizonaatwork.com/pinal.**
- E. Once the application is received, the service provider staff must verify the organization is registered with E-Verify and that it is in good standing with the Arizona Corporation Commission, and SAM.gov.
- F. Service providers must upload all business eligibility documentation for BATT program contracts in maintain in an electronic file for monitoring purposes.

1210 ALLOWED/ DISALLOWED COSTS

.01 Allowed Costs for Customized Training and Incumbent Worker Training

- A. With proper documentation, the following direct training costs/expenses are reimbursable through the BATT program for Customized Training and Incumbent Worker Training:
1. Curriculum Development;
 2. Training materials and supplies including manuals;
 3. Training tuition or registration, instructor/trainer wages (if not included in tuition);
 4. Up to \$36/instructor hour for vendor (third-party) training;
 5. Businesses may count an employee's salary who conducts the in-house training towards the non-federal share portion of IWT expenses;
 6. Certification/testing; and
 7. Off-site training space (e.g., classroom rental, etc.).

.02 Disallowed Costs

The following costs are considered disallowed costs:

- A. Trainee wages, except OJT wages;
- B. Purchase of any item or service that may possibly be used outside of the training budget (to include computer equipment and non-training related software);
- C. Purchase of capital equipment;
- D. Capital improvements;
- E. Membership fees/dues;
- F. Food and beverages; and
- G. Conferences.

1211 REPORTING REQUIREMENTS

Service provider staff are expected to have ongoing communication with businesses regarding the progress of training.

If training is occurring and reimbursement requests are occurring on a monthly basis, this is sufficient. However, if no training has occurred, then on a quarterly basis, businesses are expected to have some form of communication with service provider staff, which may include course substitution requests, emails or phone calls, or cancellation of the BATT contract.

If no communication has occurred, the service provider staff must reach out to the company contact to inquire regarding the status of the training project. A determination must be made to either continue the BATT contract, modify it or cancel it.

A. Service providers must develop and require the following BATT forms:

1. Quarterly Status Report;
2. Reimbursement Request Form (or Request for Funds);
3. Sign-in Sheets;
4. Substitution Request Form; and
5. Curriculum Development (if applicable).

B. Required Plans and Reports

1. Prior to Training: The business must provide a Training Development Plan that identifies the training needs and competencies that will be achieved for each individual selected to receive the training;
2. Monthly Progress Report: The business must submit a Progress Report describing the specific training completed to date, training rosters, and certificates of completion each month.

- a. Failure to submit this report to the service provider staff may render the contract null and void.
 - b. Service provider staff will advise of the specific requirements of this report, to include content, time frame, and other matters with information to be included with a copy of the executed contract.
 - c. Service provider staff must provide all monthly progress reports to PCWDB staff.
- C. Quarterly Training Report: The business must submit a quarterly Training Report that includes:
1. For Incumbent Worker Training and On-the-Job Training, whether the training participant is still employed by the business, whether the participant has received a raise, and whether the participant has been promoted each quarter for one year after the completion of training.
 2. For Customized Training, Work Experience and Transitional Jobs a list of the participants who were hired during the quarter, the participant's entry level wage, whether the participant has received a raise, and whether the participant has been promoted each quarter for one year after the completion of training.
 3. Service provider staff must provide all quarterly reports to PCWDB staff.
- D. Final Training Evaluation: A BATT evaluation on the training project is required to be submitted to service providers no later than 60 days from the end of the contract, or at the time of your final reimbursement request, whichever occurs first. This report can be accessed via a link that is within the reimbursement templates that will be provided to the company. Once the evaluation is received, the final reimbursement will be released.
1. Businesses must keep accurate records of the project's implementation process to certify that all information provided for the purpose of requesting reimbursements and

reporting training activity is accurate and true for a period of at least 5 years.

2. Businesses must provide copies of a Certificate of Completion for each individual who successfully completes the prescribed training program. Service providers must development a template for the Certificate of Liability Insurance and provide the template to the business. Such certificates must contain the individual's name and the class or course completed through training. Information must be consistent with the Business's approved Training Plan.
4. Businesses and training participants must report and provide documentation for all industry-recognized credentials and measurable skills gain earned by training participants.
3. Service provider staff must provide PCWDB staff with a copy of all Final Training Evaluations.

1212 Performance Requirements

Service Providers must collect data to ensure businesses who are participating in the BATT program are fulfilling their commitment to hire participants or retain incumbent workers after they complete the training programs

- A. Service providers may set additional performance measures and criteria for work-based training programs.
- B. Service provider staff must create a list of businesses that offer work-based training(s) that meet requirements in Pinal County.
- C. Service providers must not contract with a business who previously received payments under WIA Title I-B or WIOA Title I-B if the business has exhibited a pattern of failure to provide training participants with continued long-term employment that includes wages, benefits (as well as health benefits) and working conditions that are equal to those of regular employees who worked a similar length of time and who are doing the same type of work.