

# ON-THE-JOB TRAINING

## ***AUTHORITY***

Rehabilitation Act of 1973 as amended, Section 102(a)

Federal Regulations: CFR 361.32

Administrative Regulations 781 KAR 1:020 Section 22 (2)

*For the purpose of this manual, use of the terms must and shall reflect requirements of Federal law or regulation or state law and administrative regulation and must be adhered to strictly.*

On-the-job training allows the individual to learn an occupational skill by actually performing as an employee. The Agency subsidizes part or the entire wage paid by the employer to the individual. Policies and procedures for on-the-job training may be found in the Department's Administrative Regulation 781 KAR 1:020, Section 22 (2).

## **GUIDELINES**

An Agreement for Services (DVR-9) must be completed and approved by the field administrator or management team before the on-the-job training program may begin.

On-the-job training for unskilled labor (those jobs that do not require a high degree of training and skill) will not exceed three (3) months in duration. On-the-job training for service occupations, wholesale or retail trade, or paraprofessional positions will not exceed three (3) months. On-the-job training for skilled occupations (trades, crafts, or those occupations resulting in licensing or certification) will not exceed six (6) months in duration. Any exceptions should be discussed with the field administrator or management team.

The vendor/employer *must* make a commitment to hire the individual (trainee) upon successful completion of the on-the-job training. Individuals receiving on-the-job training *must* be paid the legal minimum wage for occupations covered by statute or the prevailing rate for occupations not covered. Individuals receiving on-the-job training *must* receive all compensation coverage, privileges, etc. that accrue to other employees. Both the individual and employer *must* be made fully aware that even though this is considered on-the-job training, there actually will exist an employee-employer relationship.

The Agency may arrange with the employer to provide only a portion of the wage paid to the employee (e.g., the employer may agree that the employee is making some contribution to the business and therefore require less contribution by the Agency). This should be specified on the Agreement for Services (DVR-9). The Agency will not pay in excess of the legal minimum wage for an occupation covered by statute or the prevailing rate for an occupation not. The standard 40-hour workweek should be used. Overtime and holidays are the concern of the vendor.

Any local, State, or Federal government agency may be a vendor for on-the-job training. State agencies must be paid through the inter-account process (See EP8-3 Instructions: "Other State Agency: Inter-Account Expenditures"). Progress reports must be provided

in writing by the vendor at least monthly. If reports indicate little or no progress, the counselor must review the program for a possible change of objective.