High Country Workforce Development Board

Mayland Community College

**On-the-Job Training (OJT) Contract: Pre-Award Analysis**

Section 1: Employer Information

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| --- | --- | --- | --- |
| *Complete the following Employer Information* | | | |
| COMPANY NAME: | | | FEIN #: |
| CONTACT PERSON: | | TITLE: | |
| COMPANY ADDRESS: | | | |
| PHONE: | FAX: | EMAIL: | |
| TYPE OF ORGANIZATION:  PRIVATE FOR PROFIT  PRIVATE NON-PROFIT  PUBLIC | | | |
| COMPANY NAICS CODE: | # OF CURRENT EMPLOYEES IN THIS LOCATION: | YEARS IN EXISTENCE: | |

Section 2: Criteria for OJT Employers

|  |  |  |
| --- | --- | --- |
| YES | NO | Employer Requirements |
|  |  | 1. Does the employer agree to ensure that the OJT will not result in the replacement of laid off workers? |
|  |  | 2) Does the employer ensure that the company has not exhibited a pattern of failing to provide OJT trainees with continued long-term employment? |
|  |  | 3) Does the employer commit to providing long-term employment for successful OJT trainees, barring unforeseen economic conditions? |
|  |  | 4) Does the employer agree to ensure that the OJT will **not** result in the full or partial displacement of currently employed workers nor will it infringe on promotional opportunities of current workers? |

Operational Guidance: OG 22-2021, Change 1

Pre-Award Analysis Attachment B Page 1 of 2

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| --- | --- | --- |
|  |  | 5) Does the employer agree to ensure that trainees will be provided the same benefits and working conditions at the same level and to the same extent as other trainees or employees working a similar length of time and doing the same type of work? |
|  |  | 1. Does the employer agree to ensure that trainee wages to be paid are at least equal to both:    1. the federal, state, or local minimum wage (Fair Labor Standards Act);    2. other employees in the same occupation with similar experience; and    3. employees are paid via W-2 and all applicable payroll tax requirements are followed (1099 employers are NOT allowed)? |
|  |  | 1. Does the employer agree to ensure that trainees are provided with the same workers’ compensation coverage as regular, non-OJT employees?    1. Workers’ Compensation Company:    2. Account #:    3. Effective Dates: to |
|  |  | 8) Does the employer agree to ensure that the OJT will **not** result in the impairment of existing contracts for services or collective bargaining agreements? |
|  |  | 9) Does the employer agree to ensure that OJT funds will **not** be used to directly or indirectly assist, promote, or deter union organizing? |
|  |  | 10) Does the employer agree to ensure that WIOA funds will **not** be used to relocate operations in whole or in part? |
|  |  | 11) Does the employer confirm that the company has operated at current location for at least 120 days (unless the new location did not result in the layoff of employees at another location)? |
|  |  | 12) Does the employer agree to provide safe working conditions for OJT trainees? |

Section 3: Authorized Signatures

|  |  |  |
| --- | --- | --- |
| *I hereby certify that the above information is, to the best of my knowledge, true and correct.* | | |
| EMPLOYER SIGNATURE: | TITLE: | DATE: |
| WIOA OJT AGENCY REPRESENTATIVE SIGNATURE: | TITLE: | DATE: |

Section 4: Outcome of Pre-Award Interview

1. Does the employer meet all requirements (i.e. answer “yes” to all twelve questions above) of the

OJT pre-award analysis? YES  NO

1. Will an OJT Contract (Employer Agreement) be developed?

YES  NO

If not, please explain.

Operational Guidance: OG 22-2021, Change 1

Pre-Award Analysis Attachment B Page 2 of 2