U.S. Department of Labor

Employment and Training Administration 200 Constitution Avenue, N.W. Washington, D.C. 20210



September 9, 2020

DIRECTIVES: JOB CORPS PROGRAM INSTRUCTION NOTICE NO. 20-07

TO: ALL JOB CORPS NATIONAL OFFICE STAFF

ALL JOB CORPS REGIONAL OFFICE STAFF

ALL USDA FOREST SERVICE CENTER DIRECTORS

ALL JOB CORPS CENTER DIRECTORS ALL JOB CORPS CENTER OPERATORS

ALL JOB CORPS CENTER STAFF

ALL NATIONAL TRAINING AND SUPPORT CONTRACTORS

ALL OUTREACH AND ADMISSIONS CONTRACTORS ALL CAREER TRANSITION SERVICES CONTRACTORS

FROM: DEBRA A. CARR

Acting National Director

Office of Job Corps

DEBRA CARR Digitally signed by DEBRA CARR Date: 2020.09.09 08:56:15 -04'00'

SUBJECT: Updated Guidance on Requesting Waivers to Conduct Work-Based

Learning programs during Virtual Operating Status

1. <u>Purpose.</u> To implement procedures and distribute a form for centers to request a waiver to conduct Work-Based Learning during Virtual Operating Status.

2. <u>Background.</u> Centers have been in virtual operating status since May 11, 2020 as outlined in Program Instruction Notice (PIN) 19-17 in response to the COVID-19 threat, and currently students are engaged in distance learning for academic instruction and knowledge-based career technical skills training. Work-based learning (WBL) programs have remained suspended due to their off-site nature to limit potential student and staff exposure to the coronavirus.

However, Job Corps recognizes that there are some limited circumstances that a WBL program may be permitted to operate depending on the status of any local and state shelter-in-place orders or reopening guidance, and if the appropriate safety measures are in place, Centers for Disease Control and Prevention (CDC) guidelines are implemented by the prospective employer, and the opportunity is otherwise determined to be safe for the student. Therefore, Job Corps will consider requests for waivers from centers to conduct a WBL program during virtual operating status. Such waiver requests are optional and at the discretion of each center but centers are encouraged and expected to submit waiver requests if they can operate WBL programs safely. Centers must provide complete information in the attached form for consideration by the Regional Director. Prior to submitting a request for a waiver, contractor-operated centers should contact their respective Contracting Officer Representatives (CORs) to initiate a dialogue on

whether the WBL program in question is appropriate to consider for a waiver and what measures the center must ensure are in place to protect the health and safety of students engaged in learning at the off-site program.

WBL programs must generally meet the requirements of Appendix 304. However, during virtual operating status, implemented in response to the COVID-19 emergency, WBL may include work in other fields or areas when employment directly related to the training program of the student is not available. The work performed in these instances should generally have some connection to an aspect of the student's academic, technical skills, or personal growth and development in the program. Centers are responsible for making the determination that work not directly related to the student's field or area of training qualifies for WBL because it supports the use or development of some or all of the Career Success Standards listed at PRH Chapter 3.4 R11. These determinations must be documented and be made available for review, if requested.

Please note that due to ongoing concerns related to COVID-19, requests for WBL waivers for positions and occupations in high risk industries and sectors (e.g., healthcare) will generally not be approved.

3. Action. Centers requesting a waiver to operate a WBL program during virtual operating status must complete the attached form. All the information requested must be provided in order for the request to be considered. Contractor-operated centers must submit completed waiver request forms to their respective CORs, who will conduct a preliminary review and request any necessary additional information. The CORs will work with the Contracting Officers (COs), who will review the center operator's request from the contracting perspective and advise the Regional Director on approval or disapproval. USDA Forest Service Center Directors may submit waiver requests directly to the Regional Director. The Regional Director will make a final decision regarding approval or disapproval once all the necessary information has been received, and will provide a written decision with justification.

For a center that has requested a waiver that has been approved, this supersedes part 3. II. A. of PIN 19-17 pertaining to WBL. This updated guidance also supersedes PIN 20-03 issued on July 17, 2020.

- 4. <u>Effective Date.</u> Effective immediately until rescinded or superseded.
- 5. <u>Inquiries</u>. Questions about this Instruction Notice should be addressed to the appropriate Regional Director.

Attachments: Job Corps WBL COVID-19 Waiver Request Form