



**WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)  
POLICY NOTICE NO. 19 Rev. 3**

**EFFECTIVE DATE: March 31, 2026**

**SUBJECT: TRANSITIONAL JOBS TRAINING (TJT) ADULT OR DISLOCATED WORKER**

**I. PURPOSE**

The purpose of this policy is to establish requirements and procedures for the implementation of Transitional Jobs (TJT) under the Workforce Innovation and Opportunity Act (WIOA) for eligible Adult and Dislocated Worker participants. Transitional Jobs are designed to provide time-limited, wage-paid, subsidized work experiences for individuals with barriers to employment to help establish work history, demonstrate work success, and develop skills needed to transition to unsubsidized employment.

**II. AUTHORITY**

This policy is authorized under the following federal laws, regulations, and guidance:

- Workforce Innovation and Opportunity Act (WIOA), Sections 3(24) and 134(d)(5)
- 20 CFR §§ 680.190–195 (Transitional Jobs)
- 20 CFR § 680.150 (Career Services)
- 20 CFR § 680.280 (Employer Displacement and Safeguards)
- 20 CFR § 680.900 (Supportive Services)
- 29 CFR Part 38 (Equal Opportunity and Nondiscrimination)
- 2 CFR Part 200 (Uniform Administrative Requirements)

**III. DEFINITIONS**

**Transitional Job (TJT):**

A Transitional Job is a time-limited, wage-paid, subsidized work experience in the public, private, or non-profit sector for individuals with barriers to employment who are chronically unemployed or have an inconsistent work history. Transitional Jobs are intended to combine work experience with comprehensive career and supportive services to support a transition to unsubsidized employment. There is no expectation or requirement that the participant will continue employment with the Transitional Job employer following completion of the work experience.

**IV. PROGRAM DESIGN AND REQUIREMENTS**

**A. Transitional Jobs shall:**

1. Be time-limited and subsidized.
2. Provide a planned and structured learning experience with a measurable training component.
3. Combined with career services and, when appropriate, supportive services.



4. Be documented through an Individual Employment Plan (IEP) that supports the need for and benefit from TJT participation.

**B. Transitional Jobs may not:**

- Replace existing employees or positions.
- Results in displacement, reduction of hours, wages, or benefits of current employees.
- Be used as a probationary period for unsubsidized employment.

**V. PARTICIPANT ELIGIBILITY**

**A. Eligible Participants**

Transitional Jobs may be provided to individuals who meet the following requirements, consistent with WIOA §134(d)(5) and 20 CFR §§ 680.190–195:

**1. Program Eligibility**

Participants must meet the eligibility requirements for the WIOA Adult or Dislocated Worker program, as defined under WIOA §§ 101 and 102 and applicable federal and state guidance.

**2. Individualized Assessment and Determination of Need**

Participants shall be determined, through an individualized assessment, to benefit from participation in a Transitional Job. This determination shall be documented and based on the participant's employment history, skill levels, career goals, and barriers to employment, consistent with WIOA §134(c)(2)(A) and 20 CFR § 680.190.

**3. Barriers to Employment**

Consistent with Workforce Innovation and Opportunity Act (WIOA) Section 134(d)(5) and 20 CFR §680.190 authorizes the use of Transitional Jobs (TJT) for Adult and Dislocated Workers who face barriers to employment who are chronically unemployed, have an inconsistent or limited work history, or face other circumstances that impede their ability to secure or retain unsubsidized employment. For purposes of this policy, chronically unemployed means an individual who has experienced a pattern of long-term unemployment, defined as unemployment for nine (9) weeks or more, three (3) or more times within a two (2) year period, or who has exhausted unemployment benefits. Inconsistent work history means an individual whose employment record reflects gaps in employment of three (3) months or more or a pattern of frequent job changes, demonstrated by four (4) or more jobs within a two (2) year period. Limited work history means an individual with little or no prior work experience, including employment that has been minimal, sporadic, part-time, temporary, or otherwise insufficient to demonstrate sustained attachment to the labor force. All determinations must be supported by appropriate documentation and/or detailed case notes and must clearly demonstrate how the identified



condition constitutes a barrier to employment and supports the use of Transitional Jobs Training as an appropriate service strategy.

4. The presence of a barrier to employment must be determined in accordance with the definitions established in this policy. When chronic unemployment or inconsistent work history is used to identify a barrier for purposes of Transitional Jobs Training (TJT), the participant must meet the specific criteria outlined for those factors, and such determinations must be supported by appropriate documentation and/or detailed case notes as part of the individualized assessment. Individual Employment Plan (IEP)

Participation in a Transitional Job shall be supported by an Individual Employment Plan (IEP) developed in accordance with 20 CFR § 680.150, which identifies the participant's employment goals, the skills to be developed through the Transitional Job, and the rationale for why Transitional Job placement is an appropriate service strategy.

5. Appropriateness of Service Strategy  
Transitional Jobs shall be determined to be an appropriate service strategy when other career or training services alone are insufficient to enable the participant to successfully transition to unsubsidized employment. Transitional Jobs are not intended to be a default service but rather a targeted intervention for individuals with documented barriers to employment, as contemplated under WIOA §134(d)(5).

#### **B. Individuals with Barriers to Employment**

Eligibility shall be aligned with WIOA §3(24). Individuals with barriers to employment may include, but are not limited to:

- Displaced homemakers
- Low-income individuals
- Individuals who are currently receiving or have exhausted TANF benefits
- Indians, Alaska Natives, and Native Hawaiians
- Individuals with disabilities, including youth and adults with disabilities
- Older individuals (age 55 and over)
- Ex-offenders
- Homeless individuals
- Youth who are in or have aged out of foster care
- English language learners and individuals with low levels of literacy
- Individuals facing substantial cultural barriers
- Eligible migrant and seasonal farm workers



The presence of a barrier does not require the participant to meet additional unemployment duration thresholds unless documented as relevant to the individualized assessment.

## **VI. WORKSITE ELIGIBILITY**

Transitional Job worksites shall:

1. Be properly registered with the Internal Revenue Service (IRS) and provide a valid FEIN.
2. Be in good standing with the State of New Mexico for state taxes and unemployment insurance.
3. Maintain safe and healthy working conditions.
4. Comply with all federal, state, and local nondiscrimination and labor laws.
5. Not displace current employees or violate displacement protections under 20 CFR § 680.280.
6. Per WIOA regulations 20 CFR 683.000(g)), no individual may be placed in an employment activity if a member of that person's immediate family is directly supervised by or directly supervises that individual.

### **Insurance Requirements**

- Worksites shall carry general liability insurance.
- Workers' Compensation Insurance shall be maintained either by the worksite or, when applicable, by the service provider or NALWDB as outlined in the worksite agreement.
- Certificates of insurance shall be maintained in the electronic file.

## **VII. EQUAL OPPORTUNITY AND NONDISCRIMINATION**

All Transitional Jobs activities shall be administered in compliance with WIOA Section 188 and 29 CFR Part 38. Discrimination is prohibited based on race, color, religion, sex, national origin, age, disability, political affiliation or belief, and participation in a WIOA Title I—financially assisted program.

Reasonable accommodations shall be provided for qualified individuals with disabilities.

## **VIII. DURATION AND HOURS**

### **A. Length of Transitional Job Placement**

Transitional Job placements shall be time-limited in nature and may not exceed 120 calendar days, consistent with the intent of WIOA §134(d)(5) and 20 CFR § 680.190, which authorize Transitional Jobs as a temporary service strategy designed to support individuals with barriers to employment in establishing work history and transitioning to unsubsidized employment.

The 120-day limitation is established by the Northern Area Local Workforce Development Board to ensure that Transitional Jobs remain a short-term intervention and do not substitute for permanent employment or other long-term training services.



#### **B. Weekly Hour Limitations**

Participants in Transitional Job placements may not work more than 29 hours per week, consistent with local policy discretion permitted under 20 CFR § 680.190. Weekly hour limitations are intended to:

- Preserve the transitional and developmental nature of the work experience.
- Support participant engagement in career services, job search activities, and supportive services; and
- Ensure compliance with programmatic and budgetary constraints.

Transitional Job placements do not authorize overtime and are not intended to establish full-time employment.

#### **C. Determination of Duration and Schedule**

The specific duration and weekly schedule of a Transitional Job placement shall be determined on an individual basis and documented in the participant's Individual Employment Plan (IEP) and Transitional Job Learning Plan, in accordance with 20 CFR §§ 680.150 and 680.190.

In determining the appropriate length and schedule of a Transitional Job placement, the following factors shall be considered and documented:

- The objectives of the work experience and how they align with the participant's career choice.
- The skills identified in the learning plan and the time reasonably necessary to develop those skills.
- The availability of sufficient and meaningful work activities at the worksite; and
- Service provider and local area budget considerations, including compliance with funding limitations

### **IX. COMPENSATION**

#### **A. Wage Requirements**

Participants enrolled in a paid Transitional Job placement shall be compensated at an hourly wage that is not less than the applicable federal, state, or local minimum wage, whichever is higher, consistent with WIOA §134(d)(5), 20 CFR § 680.190, and applicable federal and state wage and hour laws.

Compensation shall comply with all requirements of the Fair Labor Standards Act (FLSA) and applicable New Mexico wage statutes and regulations, including any state or local minimum wage ordinances in effect at the worksite location.

#### **B. Payment for Hours Worked**



Wages may be paid only for hours worked by the participant in the Transitional Job placement and shall be supported by accurate and fully executed timesheets, in accordance with 2 CFR § 200.430 and 20 CFR § 680.195.

Timesheets shall be reviewed, approved, and maintained as required under the NALWDB Electronic File Policy, and shall support the allowability and allocability of wage expenditures.

#### **C. Wage Reimbursement**

Transitional Job wages may be reimbursed at up to 100 percent of the participant's wages, as permitted under 20 CFR § 680.195, subject to availability of funds and compliance with local policy and contractual requirements.

Reimbursement rates and payment terms shall be documented in the Transitional Job Worksite Agreement and supported by appropriate fiscal and program documentation.

#### **D. Limitations on Benefits and Overtime**

Participants in Transitional Job placements are not considered permanent employees of the worksite and are not eligible for:

- Paid leave.
- Paid holidays.
- Vacation or sick time; or
- Overtime compensation.

Transitional Job placements do not authorize overtime and are intended to remain part-time and time-limited, consistent with the transitional nature of the service under WIOA §134(d)(5) and 20 CFR § 680.190.

#### **E. State and Local Policy Alignment**

Compensation practices for Transitional Job participants shall also align with New Mexico Department of Workforce Solutions (NMDWS) guidance, local board policy, and contractual requirements governing wage reimbursement, fiscal documentation, and participant protections.

#### **X. DOCUMENTATION AND ELECTRONIC FILE REQUIREMENTS**

All participants and worksite documentation shall be maintained in accordance with the NALWDB Electronic File Policy and include timely uploads and case notes documenting:

- Eligibility and assessment
- Participant and worksite agreements
- Learning plans



- Timesheets and evaluations
- Corrective actions, if applicable
- Follow-up services

Documentation shall support active engagement and compliance with WIOA requirements.

#### **XI. MONITORING AND RECORD RETENTION**

Transitional Jobs activities and records are subject to review by federal, state, and local monitors. All records shall be retained for a minimum of three (3) years following program exit or longer if required due to audit, litigation, or monitoring resolution.

#### **XII. EFFECTIVE DATE**

This policy supersedes all prior NALWDB policies related to Transitional Jobs and is effective upon approval.

This policy rescinds any previous NALWDB policy regarding subject.  
INQUIRIES; Contact WIOA Program Manager at (505) 986-0363.

  
\_\_\_\_\_  
Joseph Weathers (Apr 7, 2026 22:12:37 MDT)

NALWDB CHAIR

Apr 7, 2026

\_\_\_\_\_  
DATE