

# **CONEXIÓN**

## LABORAL

ÁREA LOCAL SURESTE

**PUBLIC POLICY NO.:** CLS-2024-25-03-B

**DATE:** July 31, 2025

**SUBJECT:** Requirements for the Customized Training Activity under the Workforce Innovation and Opportunity (WIOA, for its English acronym)

**ADDRESSED TO:** Local Board members, Executive Director, One-Stop Career Center Director, Title I-B Program Director, One-Stop Career Center System Officials, and Service Providers

**PURPOSE:** Amend Public Policy CLS-2024-25-03-A, approved on November 14, 2024, regarding the Customized Training Activity under the Workforce Innovation and Opportunity Act

**JURISDICTION:** This Public Policy applies to the Southeast One-Stop Career System, which is composed of the municipalities of Humacao, Juncos, Las Piedras, Maunabo, Patillas, San Lorenzo, and Yabucoa.

### **I. LEGAL BASE**

- Workforce Innovation and Opportunity Act (WIOA, for its English acronym), (Public Act 113-128), July 22, 2014
- Law on Incentives for the Generation and Retention of PyMES Jobs (Act # 120 of July 31, 2014)
- Puerto Rico Municipal Code (Act 107 of August 14, 2020, as amended)
- Administrative Bulletin No. 2018-047- Executive Order to designate the Department of Economic Development and Commerce of the Puerto Rico Government as the

- apprenticeship state agency and order the adoption of a regulation to create and implement the Puerto Rico Apprenticeship Program
- Puerto Rico Unified State Plan 2020 or the successive ones
  - 20 CFR 680.760; 20 CFR 680.770
  - 2 CFR 200 - (Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards), as amended on April 22, 2024
  - TEGL 19-16 - Guidance on Services provided through the Adult and Dislocated Worker Programs under the Workforce Innovation and Opportunity Act (WIOA) and the Wagner-Peyser Act Employment Service (ES), as amended by Title III of WIOA, and for Implementation of the WIOA Final Rule
  - TEGL 10-16: Performance Accountability Guidance for Workforce Innovation and Opportunity Act (WIOA) Title I, Title II, Title III and Title IV Core Programs
  - TEGL 8-19: Workforce Innovation and Opportunity Act (WIOA) Title I Training Provider Eligibility and State List of Eligible Training Providers (ETPs) and Programs
  - WIOA – PP- 04-22 – Requirements for Work-based Activities (WBT, for its English acronym) under the Workforce Innovation and Opportunity Act (WIOA) Amendment 2, of October 2, 2024
  - Public Policy # 55 Requirements for Work-based Training Activities (WBT) under the Workforce Innovation and Opportunity Act, approved by the Local Board on May 15, 2024
  - WIOA – PP-06-2024 – Standardization of Documentation for Work-based Training Activities (WBT) under WIOA of October 2, de 2024

**II. DEFINITIONS:** The following definitions are part of this policy:

- 1. Customized Training:** Classroom-type training designed and developed to satisfy the particular need of an employer or a group of employers with the commitment to employ those individuals that complete training satisfactorily.

2. **Local Workforce Development Area (ALDL):** They are designated by the Governor. It is a geographic area composed by one or various municipalities, in which workforce development activities are offered.
3. **CGU:** It refers to the One-stop Center acronym (known in English as American Job Center (AJC)).
4. **Extraordinary Cost:** A nonrecurrent cost incurred by an employer relating to the on-the-job training of a participant and their low level of productivity.
5. **Training Significant Cost:** The portion of the on-the-job training cost or Customized Training that the employer will contribute considering the following: the size of the company, number of employees participating in the training, the salary and level of benefits of those employees (at the beginning and at the end of training), the relationship of the training to the participant's competitiveness, other trainings provided by the employer, and the opportunities for advancement within the company.
6. **Credential:** The recognition granted to an individual for attainment of a measurable skill of a technical or occupational nature that is necessary to obtain an employment or advancement in an occupation. Likewise, it consists of an industry-recognized certification, a high school diploma or its equivalent, a certificate for completion of an apprenticeship program, a state or federally recognized license, an associate degree or bachelor's degree.
7. **Department of Economic Development and Commerce (DDEC):** Puerto Rico Government agency designated through Act 171-2014 as administrator and monitor of the federal funds received by the Puerto Rico Government, under the Federal Public Act 113-128 of July 22, 2014, known as the Workforce Innovation and Opportunity Act (WIOA, for its English acronym).
8. **DOL:** It refers to the English acronym to identify the federal Department of Labor.
9. **Self-sufficiency Standard:** The family income equivalent to/or in excess of 100% of the Lower Living Standard Income Level, based on 100% of the annual computations of the federal Department of Labor.

- 10. Individual Service Strategy (ISS):** The individual service plan designed specifically for the Youth Program’s participants. The Individual Service Strategy is used as a basic tool to document the case management and as a guide to provide the adequate combination of services for the youth, including referrals to other programs.
- 11. Individuals with Barriers to Employment:** An individual that belongs to one or more of the following populations:

  - a. dislocated housewives
  - b. low-income individuals
  - c. others, as defined in section 166 of WIOA
  - d. disabled individuals (including youth)
  - e. elderly individuals
  - f. ex offenders
  - g. homeless, as defined in section 41403-c(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6)); or homeless youth or children, as defined in section 725(2) of McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2))
  - h. youths who are in -or- are over foster care age
  - i. individuals who are English language learners, individuals who have low levels of literacy, and individuals who face substantial cultural barriers
  - j. seasonal farmers and eligible immigrants, as defined in section 167(i) of WIOA
  - k. individuals within two years of having exhausted lifetime eligibility under Part A of Title IV of the Social Security Act (42 U.S.C. 601 et seq.)
  - l. unmarried pregnant women, including single parents
  - m. long-term unemployed individuals, and
  - n. other groups that the governor determines that have barriers to employment.
- 12. Workforce Development State Board** – Pursuant to section 101 of WIOA (d) (1), the Local Board will assist the governor to develop, implement and modify the strategic plan that describes the strategies for the state workforce development system and the additional functions established by law. This Board is designated by the governor and

directed by private sector representatives who constitute the majority of the Board's members. Also, membership includes representatives of labor unions, state organisms responsible for postsecondary education, professional and technical education, workforce development, economic development, and community organizations.

13. **Local Workforce Development Board<sup>1</sup> (JLDL):** The Local Board is appointed by the elected officials (mayors) in each local area according to the state local criteria established in section 107(b) of WIOA and is certified by the governor every two (2) years, pursuant to WIOA 107(c)(2).1.
14. **Fair Labor Standards Act, 29 U.S.C. § 203, et seq., (FLSA):** It establishes norms for the minimum wage, overtime payment, and minors employment that affect full-time and part-time workers in the private sector and the federal government, as well as the state and local governments.
15. **Office of Planning, Validation and Statistics of the Workforce Development Program (OPEVE, for its Spanish acronym):** Office of the Workforce Development Program that promotes, applies and counsels on strategic and programmatic planning for the development of the Workforce Development System.
16. **O\*NET<sup>2</sup>:** Online system for the occupations classification that provides a common language to define and describe occupations. O\*NET is the leading source of occupational information in the United states. Its portal web address is [onetonline.org](http://onetonline.org).
17. **Employer:** An individual (person, company or organization) that hires other individual (employee), pays this person a salary and determines their work responsibilities.
18. **Small and Medium-sized Enterprises (PyMES):** State Act 120 of July 31, 2014, known as Law on Incentives for the Generation and Retention of PyMES Jobs, classifies PyMES as:

*(i) Microenterprises: generate a gross income less than five-hundred thousand dollars (\$500,000) every year, and employ seven (7) workers or less*

*(ii) Small enterprises: generate a gross income less than three million dollars*

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<sup>1</sup>20 CFR 679.310

<sup>2</sup> Also known as dictionary of occupations.

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*(\$3,000,000) every year, and employ twenty-five (25) full-time or its equivalent workers, as defined in this Act, and*

*(iii) Medium enterprises: generate a gross income less than ten million dollars (\$10,000,000) every year, and employ (50) workers or less or its equivalent, as said term is defined in this Act.*

**19. Individual Employment Plan:** An individualized career service developed jointly by the Career Planner and the participant. The Individual Employment Plan (PIE, for its Spanish acronym) is a continuous strategy to identify the employment goals, target objectives, and the adequate service combination for the participant of the Adults or Dislocated Worker Program.

**20. Career Planning:** Provision of services focused on the participant that is designed to:

- a. prepare and coordinate comprehensive employment plans for participants, such as service strategies to ensure access to workforce development and supportive services using, to the extent possible, computerized technology and,
- b. provide employment, education, and career counseling, as appropriate, during participation in the program and after placement in employment.

**21. Workforce Development Program (PDL):** Program ascribed to DDEC, created by virtue of Act 171-2014, whose function is administering, counseling, coordinating, monitoring, and implementing the public policy of the workforce development system.

**22. Industry sector or occupation in demand:**

- a. An industrial sector that has a substantial current or potential impact (including jobs leading to self-sufficiency and growth opportunities) in the local, state, or regional economy, as appropriate, and that contributes to the growth or stability of other related businesses or industry sectors, or

- b. An occupation that has or projects a number of job positions (including jobs that lead to self-sufficiency and growth opportunities) in an industry sector that has a significant impact in the local, state or regional economy. The State Board or the Local Board, correspondingly, will determine if an industry sector or occupation is in demand using the business state and regional projections and labor market information.

**23. Request for Training and Learning Activities Funds:** Document(s) that the employer will fill out when requesting WIOA funds for Customized Training activities. The request establishes the requirements that the employer must meet to be eligible, the documents necessary to evaluate the application, and the posterior funds delegation contract, if the request is approved. Upon completion, every request will be evaluated, upon completion, according to the Local Area’s funds availability.

**24. Specific Vocational Preparation (SVP):** It is the period of time required for an employee to learn techniques, acquire information, and develop the necessary agility for average performance in a specific position. Training can be acquired in a school, work, institutional, military, or vocational environment. The orientation time required for a qualified employee to become accustomed to the special conditions of a new job is not included within the SVP. The following table contains an explanation of the different levels of SVP:

Level	Time
1	Only short demonstrations
2	Any short demonstration up to and including one month
3	More than one month up to and including three months
4	More than three months up to and including six months
5	More than six months up to and including one year
6	More than one year up to including two years
7	More than two years up to including four years
8	More than four years up to including ten years
9	More than ten years

**25. Career Pathway:** The career pathway approaches for the workforce development offer articulated education and training steps among occupations in an industry sector combined with supportive services to allow people enter and exit at various levels and to advance throughout time towards higher skills, recognized credentials, and better jobs with higher salaries. Each step in a career pathway is designed explicitly to prepare people to progress to the next employment and/or education level. The professional career pathways strategies are aimed at job positions in industries of importance for the local and regional economies and construct solid relationships with the employers.

### **III. BACKGROUND**

The Workforce Innovation and Opportunity Act (WIOA, for its English acronym) authorizes a series of work-based training options known in English as *work-based training*, (WBT), that can be used, correspondingly, to assist job seeking people reincorporate or advance in the workforce. Generally, work-based training (WBT) implies an employer or employers' commitment to employ participants on a full-time basis after having completed the program successfully.

A key advantage of the work-based training is that participants can "earn while they learn" in a hands-on environment to achieve better performance and profit results. In addition, the work-based training opportunities provide enterprises the opportunity to develop and retain a qualified labor force using resources from WIOA.

Each of the work-based training models can be efficiently used to aim at the job searching individuals' and employers' different needs. One of the activities is the Customized Training.

### **IV. PUBLIC POLICY**

#### **A. CUSTOMIZED TRAINING ACTIVITY**

1. The customized training activity is a theoretical training designed and developed to meet the particular needs of an employer or group of employers who have made a

commitment to employ individuals who successfully complete the training. This type of training must comply with the following characteristics:

- a. It is developed according to the special need of an employer or group of employers; thus, it should not be found in the educational market.
- b. Generally, it takes place in a classroom; it is provided for a group of employees of an employer or group of employers<sup>3</sup>
- c. It may be provided by the employer's internal trained resources or an external provider with credentials in the field.
- d. WIOA will contribute up to 50% of training funds. The employer will pay a significant part of the cost taking into account the size of the employer and other factors determined as:
  - i. the number of employees that participate in the training
  - ii. the salary and the level of benefits of those employees (at the beginning and at the end of the training)
  - iii. the relationship between the training and the participant's competitiveness
  - iv. other trainings provided by the employer, and
  - v. career pathway advancement opportunities.
- e. Regarding the training cost, the employer will contribute the following:
  - i. 50% of the cost if employer has 50 employees or less
  - ii. 55% of the cost if employer has 51 to 100 employees
  - iii. 60% of the cost if employer has 101 employees
  - iv. If the employer belongs to the construction, energy, or health- related services industry, the Board authorizes –as a sectorial strategy- to receive 50% of reimbursement, regardless of the number of employees.
- f. It may include occupations in industries that have experienced a lack of skilled personnel. The state in demand occupations list, the high salaries, the high cost of contracting, and positions that are vacant during long periods of time, is

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<sup>3</sup> New employees or incumbent employees may participate in this activity.

indicative of a lack of skilled candidates in the workforce for a determined occupation.

- g. Training providers must demonstrate a previous satisfactory performance; that they have credited trainings within the sector for the occupation; their study plans are leading to credentials; that have experience in relevant training programs; their instructors are accredited; and that have high placement rates and labor retention and/or training completion.
  - h. The physical facilities where the training is offered must provide a suitable learning environment and be located within reasonable proximity to the participant. Training may take place in the employer's facilities, in the facilities of a training provider or a combination of accessible places. Also, virtual education may be considered.
  - i. WIOA funds cannot be used to provide this activity in the public sector, except when it is specifically authorized by WIOA. Under the provisions for the customized training activity, contracting in the public sector is not specifically authorized; thus, WIOA funds cannot be used to subsidize, for example, training activities for the Police Academy cadets, firefighters, or any state or municipal government regular position. (2 CFR §200.444).
  - j. The Federal Labor Department encourages this type of training to earn a credential.
  - k. Training contributes to salary progress in the participant's career.
2. Customized training will always be provided through a delegation of funds contract.
  3. It is required that the employer commits to employ or retain in employment the participant upon successful completion of training. [20 CFR 680. 760 (b)]
  4. As with the on-the-job training (OJT) activity, the duration of the customized training activity will depend on the assessment of the skills required for the occupation, the participant's skills and education, and previous experience.
  5. Enterprises that have employees in a potential layoff situation should not be considered for the Customized Training, unless the training avoids additional layoffs.

6. Enterprises that have moved to Puerto Rico and laid off employees in their previous United States location, may not be considered for this program until they have been functioning in the new placement during one-hundred and twenty (120) consecutive days.

### **Eligibility for New Workers**

Customized training may be offered to adults and dislocated workers, only if the Career Planner determines, after an interview and assessment, that participant complies with WIOA eligibility, and the recruitment criteria established by employer.

### **Eligibility for Already Employed Workers**

1. If an individual is employed at the time of participation in the customized training, they must comply with the requirements established in section 680.770 del 20 CFR.
2. There must be an “employer-employee” relationship in order to conduct the customized training.
3. The Career Planner must determine if there exists a risk of an individual to lose their employment due to lack of competitiveness or if the individual does not earn a salary that allows them to be self-sufficient, as determined by the Local Board policy. In such case, the employee must obtain at least a salary that allows them to be self-sufficient. For both circumstances, the customized training must be sustained by one or various of the following reasons:
  - a. introduction of new technology by the employer
  - b. introduction of procedures for new products or services by the employer
  - c. promotions to employment that require additional skills
  - d. workplace literacy, or
  - e. for other purpose identified by the Local Board.
4. Individual workers that are independent contractors are ineligible to participate in customized trainings. Independent contractors fall into the category of self-employment.

### **Customized Training and the Eligible Training Providers List (ETPL)**

Customized training is exempt from section 122 (a) to (f) of WIOA, which requires training providers to be included in the ETPL. However, they are in effect subject to information dissemination requirements (WIOA 134 (a)(2)(B)(v)) and recollection of information on performance (WIOA 122 (h)(2)). In turn, nothing prevents from using the training providers included in the ETPL to offer the WBTs, as long as they meet the criteria established by both the federal regulations and the Local Board.

#### **Requirement for Employer Contribution to the Customized Training Activity**

1. The employer will pay a significant portion of the cost of training, considering the size of the employer's business and other factors that the Local Board determines appropriate, which may include:
  - a. the number of employees that participate in the training
  - b. the salary and the level of benefits of those employees (at the beginning and at the end of the training)
  - c. the relationship between the training and the participant's competitiveness
  - d. other trainings provided by the employer, and
  - e. career pathway advancement opportunities.
2. Payment of costs must be duly documented and is subject to monitoring and auditing.
3. In the case of a customized training that involves an employer or employers located in multiple local areas within Puerto Rico, the significant portion of the cost of the training will be determined by the State Board, taking into consideration the size of the employer's business, as well as other factors deemed appropriate.

When an employer presents the need of this type of training, the Local Board will present a proposal for the activity to the State Board in order for the Board to determine the significant portion of the cost that the employer must contribute.

#### **Allowable Costs in Customized Training**

1. The *allowable costs* include only the costs directly related to the training:
  - a. costs related to the tuition or training registration
  - b. instructors or trainers' salaries (if they are not included in the tuition costs)
  - c. costs related to the curriculum development or study plan
  - d. teaching materials such as textbooks, educational equipment, manuals, materials and supplies
  - e. certifications, licenses and credentials
  - f. Travel expenses of instructors or trainers in Puerto Rico, the United States and its territories
  - g. Certifications/tests
  - h. Training space outside of the business facilities, for example, classroom rental, etc., and
  - i. Necessary computer software used at 100% only with the purpose of training may also be considered for reimbursement.

#### **Costs not Allowable in Customized Training**

1. Salaries and fringe benefits of workers while they attend to the customized training
2. Costs that are not directly related to the customized training
3. Travel outside of the United States territory
4. Capital improvements
5. Purchase of capitalized equipment for training
6. Catering or snacks service during training
7. Expenses incurred outside the contract term (the beginning and the end of contract), meaning, trainings carried out outside the contract validity term.

#### **Minimal clauses that must contain a delegation of funds contract to carry out a Customized Training**

1. Contracts for the customized training activity addressed both to unemployed workers (new recruitment) and salaried workers already employed/existing will be subscribed.

2. Existing workers may include full- time workers, part time workers, and/or those workers placed through private employment agencies.
3. The private employment agency and the employer must be included in the contract when the customized training is offered to employers that want to include workers placed through private employment agencies. This is to make sure that all the parties agree that the successful completion of the customized training results in the placement of workers in a permanent employment.
4. Contracts for the delegation of funds with the employer for the development of the activity must specify at least the following:
  - a. Name and description of occupation for which the participant will be trained
  - b. Training outline, which must include all specifications that enable verification that training is being provided as agreed upon
  - c. Skills and competences that the worker will develop
  - d. Name of the credential that will be obtained at the end of the training
  - e. Number of participants that will be trained
  - f. Cost of training per participant
  - g. Payment method and the maximum amount to be reimbursed
  - h. Employer assurance that a customized training is necessary based on the individual skills set of the participants
  - i. The general clauses established in section “General Provisions” (section B – 4 of this Policy)
  - j. The cost and documented description of any ancillary article or support service that may be necessary, and
  - k. Other training-related outcomes (for example, increases in income) .

## **B. GENERAL PROVISIONS**

1. s683.275 of WIOA final regulation establishes the salary norms that apply to participants under Title I activities. Accordingly, applicable norms are:
  - a. Individuals participating in any customized training or employed under the WIOA Title I activities must be compensated at the same rate, including periodical increases, as those trainings or workers that are under similar situations and conditions. Salary compensation will never be less than the established by the Fair Labor Standards Act or the minimum federal, state or local salary.
  - b. Participants in any Customized Training or employees on their WIOA Title I activities must receive fringe benefits and working conditions at the same level and to the same extent than those skilled or regular employees who are performing similar duties and who have been performing the functions for the same period.
  - c. The employer will comply with the equal opportunity and nondiscrimination provisions of the laws and regulations of WIOA.
2. To determine the Customized Training duration, the O\*Net Online and the SVP detailed below will be used as the occupational information system reference guide. Also, the skills required for the occupation, the participant's academic and occupational level, previous work experience, and individual employment plan will be considered.
3. Proposals will be evaluated by the Service Provider Evaluation Committee, ascribed to the Local Board, if WIOA's contribution does not exceed the amount of **\$100,000**. Those that exceed this cost will be referred to the Executive Committee, ascribed to the Local Board. The evaluation may be conducted in person or by electronic referendum in a manner that does not delay the evaluation process and does not adversely affect the services offered to system's participants.
4. The Executive Director, in coordination with the Title I-B Service Provider, will draw up a procedure, which will be evaluated by the Local Board. It will be developed according to the provisions set forth in this policy. The procedure will include at a minimum the following elements:

- a. outreach and participants recruiting for the on-the-job training activities
  - b. PIE/ISS skills and development gap analysis
  - c. employer marketing strategies
  - d. policies for the referral of participants by employers
  - e. participant support services policies (if applicable)
  - f. development of WBT contracts
  - g. coordination of case management functions and services to employer
  - h. policies or procedures for the billing and reimbursement process, and
  - i. financial and programmatic monitoring.
5. At a minimum, contracts must include clauses that contain the following:
- a. Compliance with the requirements and restrictions established in section 181 (a), (b) y (d) related to the benefits and standards that apply to participants under the WIOA Title I activities.
  - b. The corresponding assurance and certifications that include compensation, benefits and working conditions at the same level and extent to other employees working for a similar period of time and performing the same type of work.
  - c. Prohibition against training a participant under a customized training contract with the employer if:
    - i. any other individual is laid off from the same or other substantially equivalent position
    - ii. the employer has laid off any regular employee or has reduced the number of employees with the intention of filling vacancies created by participants, or
    - iii. the position is created in a line of promotion that may infringe in any way the promotional opportunities of regular employees of the business.

- d. The employer's commitment to employ or retain in employment those individuals who have successfully completed the training.
- e. Participants will be subject to the same rules, policies and personnel regulation as the other business' employees.
- f. The employer's commitment to keep, retain and give access to records to the Local Area, the DDC, the controller and the Federal Labor Department. The records must evidence the costs associated to the training activity and the corresponding reimbursement, such as attendance sheet, payroll, invoices, and other information necessary to respond during monitoring or auditing processes.
- g. Prohibition against the use or proposed use of WIOA funds to induce a business or part of a business to relocate and that the outcomes of such relocation would result in any employee losing employment at the original location.
- h. Prohibition against the use or proposed use of WIOA training funds in any business or part of a business that has relocated in the United States, until the business has operated in the new locality during one-hundred and twenty (120) days, if relocation results in any employee losing employment in the previous location.
- i. Prohibition against directly or indirectly filling a position that is vacant because the incumbent is on strike, or is suspended for a labor dispute, or because filling the vacancy is otherwise a matter within a labor dispute involving a work stoppage.
- j. Nondiscrimination provision and prohibition of sectarian activities.
- k. Prohibition against the use of funds to assist, promote, or stop the organization of labor unions.
- l. Prohibition against the use of WIOA funds for foreign travel (outside U.S.A., jurisdictions).
- m. Prohibition of political and lobbying activities.
- n. Clause relating to availability or existence of a grievance procedure pursuant to section 181 (c) of WIOA; and
- o. No individual may hold a position in a Customized Training if there is any

- family member within the fourth degree of consanguinity or second degree of affinity who has administrative capacity with the employer, including selection, hiring, placement or supervisory responsibility for the Customized Training participant.
- p. Suspension and exclusion clause, and
  - q. Drug-Free Workplace Certification Clause.

#### 6. Requests for Funds for Customized Training Activities

The Request for Funds and Contracting Manual for On-the-Job Training Activities (WBT, for its English acronym), under the Workforce Innovation and Opportunity Act includes the documents to be used as part of the Funding Application, Employer Eligibility, Employer Qualifications and documentation process required for funding and contracting, as well as the contract clauses that must be included as a minimum in the contracts related to the activities. They will be used as provided by the State Board including any amendments that the latter may make. In relation to the requests for funds (proposals) that are in the process of evaluation and/or contracting, the forms authorized prior to the effectiveness of this policy will be used.

- 7. Upon completion of the Customized Training, the employer must issue a Performing Report and a certification for each WIOA participant, formally stating that the worker is competent in the occupational skills acquired.

### **V. CONTRACTING**

The contracts will be worked in faithful compliance with Law No. 18 of October 30, 1975, as amended, Regulation 33: Registration of Contracts of the Office of the Comptroller of the Commonwealth of PR, Circular Letter OC-21-11 of May 12, 2021, issued by the Comptroller of PR, and any other applicable legislation.

### **VI. SEPARABILITY CLAUSE**

Should any provision of this public policy be challenged by the Court and declared unconstitutional or null, such decision shall not affect, impair or invalidate the remaining

provisions of this public policy, but its effect will be limited to the provision or topic specifically indicated. The nullity or invalidity of any provision or topic will not affect or impair in any way its application or validity in any other case, except when specifically and expressly invalidated for all cases.

#### **VII. COMPLIANCE**

Compliance with the provisions and requirements established in this public policy will be evaluated by the Monitor ascribed to the Local Board as part of its functions, as well as by the Monitoring Division of the DDEC as part of the systematic evaluation of the operations of the ALDL that is carried out annually.

#### **VIII. FAIR PRACTICES AND ACCESSIBILITY**

All persons will have equal opportunity and equal access to services and physical facilities without regard to race, religion, color, sex, age, national origin or ancestry, marital status, parental status, sexual orientation, disability, or veteran status. Staff members will be responsible for ensuring then necessary support for participants with disabilities who have a need for assistance in accessing CGU/AJC facilities and services.

#### **IX. REQUIRED ACTION**

The Local Board Executive Director and the Title I-B Program Director will be responsible for disseminating this public policy, as well as training the On-Stop Labor Management System Officials in relation to this public policy. In addition, they must answer all inquiries or requests for information related to it. The Executive Director of the Local Board will be responsible for sending a copy to the Evaluation Specialist of the Office of Planning, Evaluation, Validation and Statistics of the Workforce Connection Program, no later than sixty (60) days after its approval.

#### **X. AMENDMENT**

This policy amends Public Policy **CLS-2024-25-03-A**, as approved on November 14, 2024.

## **XI. VALIDITY**

This amendment to the public policy was approved by the Executive Committee of the Southeast Local Board at a meeting held on July 31, 2025, with three (3) members present. It will become effective on December 2, 2024 and will remain in effect until amended or repealed by the Executive Committee of the Local Board.

For the record, I hereby sign this public policy in Humacao, Puerto Rico on the 31 day of the month of July of the year 2025.

[Signed]

Juan M. Méndez Rosa, Atty.  
President,  
Southeast Local Board