



SUBJECT: WIOA Policy for Work Experience

PURPOSE: To establish Western Oklahoma Workforce Development Board's policy for Work Experience

BACKGROUND: The following policy is intended to provide the structure for the Work Experience activity serving WIOA Adults, Dislocated Workers, and Youth in compliance with OETI #05-2010 and all other federal, state and local policies or guidance.

POLICY:

Adult/DLW-Work Experience is defined in WIOA Section 134(c)(2)(A) as: a planned, structured learning experience that takes place in a workplace for limited period of time. Work experience may be paid or unpaid, as appropriate. A work experience or internship may take place in the private for profit sector, the non-profit sector, or the public sector. Labor standards apply in any work experience where an employee/employer relationship, as defined by the Fair Labor Standards Act, exists.

Youth-Work Experience is defined in Interim 20 CFR Section 681.600 as: a planned, structured learning experience that takes place in a workplace for a limited period of time. Work experience may be paid or unpaid, as appropriate. A work experience may take place in the private for-profit sector, the non-profit sector, or the public sector. Labor standards apply in any work experience where an employee/employer relationship, as defined by the Fair Labor Standards Act or applicable state law, exists. Work experience provides the youth participant with opportunities for career exploration and skill development. Work experiences must include academic and occupation education. The types of work experience include: summer employment opportunities and other employment opportunities available throughout the school year; pre-apprenticeship programs; internships and job shadowing; and on-the-job training opportunities as defined in WIOA Section 3(44).

Worksite Selection

Work experience will be provided utilizing various public and private sector worksites (in the community where the participant resides whenever possible). Private sector worksites with continued, unsubsidized employment potential will be the priority when placing participants. Efforts will also be made to assign participants to a worksite in a position that matches their interests based on assessment results obtained at enrollment or through further interview of the participant. In addition, no participant under 21 years of age will be allowed to work on the same crew, or in constant proximity with, any inmate also under the employ of the worksite.

Duration of Training

Work Experience assignments shall be limited to no more than 520 hours. The number of hours may be reduced based upon funding availability.

Hourly Wage

Participants (in all WIOA programs) shall be paid not less than current minimum wage. If funding allows, the worksite's entry-level wage applicable to the assigned position may be paid.

Worksite Agreements

The **WIOA Worksite Agreement (Attachments 1-3)** is a three part agreement containing:

- the **WIOA Worksite Terms and Conditions (Attachment 1)** designed to establish certain assurances and conditions that must be agreed upon between the WIOA Program and the work experience worksite;
- the **WIOA Trainee Work Plan* (Attachment 2)** indicating, for each participant assigned: the job duties/responsibilities; general work schedule; physical work location; job title; hourly wage; and estimated training dates;
- the **WIOA Trainee Time Sheet (Attachment 3)** which provides a record of the actual hours worked and is utilized for payment purposes.

A **WIOA Worksite Agreement** packet is processed for each worksite utilizing instructions given in OETI #05-2010. Modifications to existing agreements will also be made in accordance with procedures outlined in OETI #05-2010 and shall be documented using the **Section 8. Modification** form.

WIOA Worksite Agreements Each WIOA Worksite Agreement must be numbered and such numbering will follow the format listed to indicate the Service Provider or Fiscal Agent (whichever agency is paying the participant wages), the WIOA Program (Adult, Dislocated Worker, or Youth), the agreement number (1, 2, 3, 4, etc.), and the Calendar Year (January – December) giving a pattern: SP-P-1-2017 or FA-P-1-2017.

Participant Work Experience Orientation (provided by WIOA Case Manager prior to beginning activity):

- Pre-employment/Job Readiness Skills
- Grievance Procedures (revisited)
- Enrollee Responsibilities
- Worker's Compensation Information (including WIOA Safety Policy Guidelines)
- Pay Information
- Time Sheet Requirements
- Child Labor Law Regulations (if applicable)

ORIENTATION FOR WIOA YOUTH PROGRAM WORK EXPERIENCES:

Most orientation topics are covered in the **Work Experience Participant Handbook (Attachment 4)**. The WIOA Case Manager will explain all issues covered in the Handbook to the participant and provided the participant a copy of the handbook (tailored to their specific program for reference during their participation). Pre-employment/job readiness skills will be documented through various means (e.g., WinAt-Work®, KeyTrain® Career Skills or Career Ready 101 soft skills modules reports, the **Pre-Employment Skills/Job Readiness Orientation Checklist**). Safety orientation will be documented via the **Safety & Accident Reporting Standards Acknowledgement**. If the participant is under the age of 18 years, the WIOA Case Manager will go over the **Child Labor Law** poster.

Supervisor Work Experience Orientation (provided by WIOA Case Manager prior to first participant placement at the worksite):

- Roles/Duties of Worksite Supervisor
- Safety
- Workers Compensation, Accidents, On-the Job Injuries, and Incident Reporting
- Sexual Harassment
- Discrimination
- Prohibited Activities
- Child Labor Laws
- Attendance and Time Sheets
- Pay and Wage Information
- Termination
- Trainee Evaluations
- Participant Orientation at Worksite

Worksite supervisors will be given orientation in regard to the WIOA Work Experience component in accordance with requirements outlined in *OETI #05-2010*.

Supervisors will certify their receipt of orientation via signature on the ***WIOA Work Experience Supervisor Orientation Acknowledgement Form (Attachment 5)***.

Payroll Requirements/Payments

WIOA Case Managers will be required to obtain an ***IRS Form W-4*** and a ***Department of Homeland Security Form 1-9*** on each participant assigned.

Participants will be paid on a pay period established by whoever is responsible for the payroll, either the Fiscal Agent or the Service Provider. Pay periods will be indicated on the ***WIOA Trainee Time Sheet*** forms provided to the worksites. Hours worked will be recorded as per procedures outlined in *OETI #05-2010*. Time sheets may be returned and payment delayed for reasons indicated in the ***Work Experience Participant Handbook***.

WIOA Fiscal Agent staff processes all payments for the Adult/DLW Programs and the Service Provider processes all payment for the Youth Program, after receiving appropriate documents from the WIOA Case Manager. The Case Manager also maintains a ***Payment Tracking Sheet*** on each participant enrolled in work experience to record payments made and to track durational hour limits per participant. This record is available for the Fiscal Agent or Service Provider to review at any time. At the end of the activity, the WIOA Case Manager will provide the Fiscal Agent and Service Provider Fiscal Agent a copy of the finalized form.

Work Experience Participant Evaluations

The participant will be evaluated by the Worksite supervisor at least three times throughout the duration of work experience utilizing the ***WIOA Work Experience Trainee Evaluation***.

Successful Completion - The WIOA Case Manager will utilize the results of the final evaluation as a post-assessment to determine if the participant has met the work experience goal/objective set up in their ISS/IEP.

Work Experience Worksite Evaluations

At the end of the each participant's work experience assignment, the worksite will be evaluated (by the WIOA Case Manager) using the ***Worksite Agreement Final Evaluation*** form to determine the worksite's effectiveness for future use.

ALL DOCUMENTS MUST BE UPLOADED IN EACH PARTICIPANT'S ELECTRONIC CASE FILE. ALL DOCUMENTATION MUST BE PROPERLY ENTERED INTO THE PARTICIPANT'S ELECTRONIC FILE.

Policy additions and Clarifications

The WOWDB gives authority to the Board Staff to issue additional instructions, guidance, forms, tools, schedules, etc., to further implement the requirements of this policy and to provide quality guidance and oversight of the programs and services as well as the contracted Service Providers and Workforce Offices. The WOWDB will review this Policy as needed to ensure compliance with state guidelines and policy as well as any Federal mandates regarding the Program. Any additions that might alter the intent of this policy or any changes required by State or Federal mandate will be added by the Workforce Board Staff with the date they were added and such changes/additions will be ratified at the next Workforce Board meeting.