

## YOUTH WORK EXPERIENCE

**Policy No.** 2017-06-YWE

**Date Adopted** June 14, 2017

**Effective Date** July 1, 2017

### INTRODUCTION

A work experience is a planned, structured learning opportunity for youth that takes place in a workplace for a limited period of time. Work experiences may be paid or unpaid and may take the form of internships, job shadowing, apprenticeships, or On-the-Job Training (see separate OJT policy). The purpose of a work experience is to provide youth with opportunities for career exploration, skill development and work ethic reinforcement. Work experiences are designed to enable youth to gain exposure to the world of work and acquire the personal attributes, knowledge, and skills needed to obtain a job and advance in employment.

### GENERAL REQUIREMENTS

Local youth programs must expend at least 20 percent of funding allocated to provide in- and out-of-school youth with paid and/or unpaid work experiences. Suitable workplaces may be arranged within the private for-profit, non-profit, and public sectors. Youth work experiences must include both an educational and an occupational component. The educational component may occur either concurrently or sequentially with the work experience and may take place on or off the worksite.

The work experience should align with the goals outlined in the Individual Service Strategy (ISS), and the participant's job description must clearly identify areas of training and duties to be performed. All components of the work experience must be determined prior to the participant's start date, including: the duration of the work experience, job description, hours per week and employee schedule. A worksite agreement compliant with all local, state and federal policies must be executed between the subcontractor and the employer prior to commencing a paid work experience.

### PARTICIPANT SUITABILITY

A youth participant must be determined to be both WIOA eligible and a suitable candidate for work experience through an assessment documented in the ISS. The participant's occupational area of interest and selected career pathway must be taken into account when selecting a suitable worksite. Youth suitable for work experiences may benefit from exposure to different sectors, have limited or no past work experience, demonstrated job hopping, or have experienced loss of jobs/terminations/firings.

### WORKSITE CRITERIA

Worksites must be able to provide meaningful and adequate oversight, with provisions made for supervision when the regular supervisor may not be available. A participant's employment cannot unfavorably impact current employees, such as a youth participant displacing all or a portion of current employee's hours, including: overtime, wages, benefits or promotional opportunities. Similarly, a participant's employment at a worksite may not impair existing contracts for services or collective bargaining agreements. Worksites must comply with all applicable state and federal laws, including but not limited to Occupational Safety and Health Act (OSHA) and the Fair Labor Standards Act child labor laws and regulations. Subcontractors are responsible for ensuring that these measures are met and maintained throughout the duration of the worksite agreement.

### HOURS & DURATION

A work experience should be a pre-determined, fixed duration based upon the assessment of the individuals' abilities. Participants are not authorized to work overtime or in excess of 40 hours per workweek. When determining the

duration of a work experience, the length of time necessary for the participant to learn the skills identified in the learning plan, subcontractor budget, and employer having sufficient quantity of meaningful work activities for the participant should be considered.

Paid work experiences should provide a consistent learning opportunity lasting for a minimum of 4 consecutive weeks, not to exceed the following:

- 8 weeks for participants working 21-40 hours per week, or
- 12 weeks for those participants working 20 hours or less per week.

Paid placements exceeding these limits require approval from the Youth Program Manager. Youth with disabilities that may benefit from an extended paid work experience are not subject to the duration limits identified within this section but must include justification as outlined in the ISS.

## **WAGES**

Individuals participating in a paid work experience opportunity must be compensated at the same rates, including periodic increases, as trainees or employees who are similarly situated in similar occupations by the same employer and who have similar training, experience, and skills. The Fair Labor Standards Act must be observed in determining how much to pay a work experience participant. Wage rates may not be lower than the higher of the federal or state minimum wages.

Participants shall not be paid for:

- Sick leave,
- Vacation breaks,
- Lunch breaks,
- Overtime; or,
- A holiday recognized by the employer as a “paid holiday”.

## **FILE DOCUMENTATION**

All documentation pertinent to the work experience must be maintained for each employer and participant, including but not limited to:

- Documentation supporting the suitability of the work experience for the employer and the participant (Individual Service Strategy),
- Worksite Agreement (executed prior to the participant’s start date),
- Schedule of the participant’s work hours/schedule,
- Wages, benefits (FICA, Worker's Comp),
- Assurances of compliance with Labor Laws; and,
- Identification of the worksite supervisor and supervisor work hours (matching participant’s work hours).

## **MONITORING**

Subcontractors must ensure regular and on-going monitoring and oversight of work experiences through a combination of on-site visits and phone/email communication with the employer and participant. All worksites must be monitored on-site by the subcontractor to ensure compliance with established worksite criteria. Any deviations from the Worksite Agreement should be remediated promptly.

Subcontractor oversight of the participant’s training and payroll records may be reviewed by Federal, State and local fiscal and program monitors. These entities will have the right to access, examine and inspect any site where any phase of the program is being conducted. The subcontractor will maintain its records and accounts in such a way as to facilitate the audit and in accordance with State and Federal policy.

**REFERENCES:** WIOA Regulations for Youth 681.590, 600