

WORK EXPERIENCE POLICY & GUIDANCE

EXECUTIVE SUMMARY

This policy provides guidance and establishes the process for the implementation of WIOA-funded Work Experience (WEX) training opportunities for WIOA-eligible Youth program participants. WEX must provide to participants a planned and structured learning experience with measurable training components, including elements of both academic and occupational education. Exceptions to this policy must be approved in advance by the Executive Director of the Monterey County Workforce Development Board (WDB) or the authorized representative of the WIOA Youth services provider.

REFERENCES

WIOA Sections 129 (c)(2)(C) and 129 (c)(4); Title 20 CFR Part 664; 20 CFR 681.600, 681.610.

BACKGROUND

WIOA includes a major focus on providing youth with work experience opportunities for career exploration and skill development. Work Experience for WIOA youth is defined as a planned, structured, time-limited academic and occupational learning experience provided in a workplace. Work experience may be paid or unpaid, as appropriate, and may be provided in the private for-profit, non-profit, or public sectors.

Local Youth programs must use at least 20% of the Youth funds allocated to the local area to provide youth participants with work experiences. Participant wages and staff costs must be tracked and reported as part of the local WIOA Youth financial reporting.

POLICY

A Work Experience Agreement provides the roles and responsibilities of the WIOA Youth services provider and the employer relating to the provision of Work Experience. WIOA requires WEX employers to provide certain assurances as part of the agreement, including an assurance that placement of a participant will not result in reduction of hours or displacement of employed workers, impairment of existing contracts or collective bargaining agreements, and/or infringement upon the promotional opportunities of current employees.

Wages are provided by the WIOA service provider and paid directly to the participant, developing an employer/employee relationship between the Monterey County Workforce Development Board (WDB) Youth services provider and the WEX participant. Labor standards apply where an employee/employer relationship exists, as defined by the Fair Labor Standards Act. Employers are not monetarily compensated for worksite training services provided as part of the Work Experience.

WEX employers provide a participant with the employability skills and knowledge of employer expectations required for unsubsidized employment, as well as the specific skills or knowledge needed to perform the daily duties and tasks of a specific career. Each measurable skill to be learned is listed in the Work Experience Agreement under Participant Training Plan.

Types of WEX

- Summer employment opportunities and other employment opportunities available throughout the school year
- Pre-apprenticeship programs
- Internships and job shadowing
- On-the-job training opportunities
- Placement in WDB Sectors

Work experience must be based on the identified needs of the individual youth but is not required to be tied to the youth's individual career or employment goal. The type and length of work experience training should be based on an objective assessment and service strategy identified in the youth's ISS (i.e., youth exploring careers may be interested in shorter work experiences than youth needing to learn good work habits).

The participant may enter into more than one paid work experience activity prior to exit from the WIOA Youth program; however, total work experience hours shall not exceed 320 hours per participant, and the rate of pay rate shall not exceed \$11 per hour. Exceptions to these limits must be approved by the WDB. Work Experience Agreements (see Attachment 1) must be approved by WDB staff in advance of the Work Experience.

WIOA permits local areas to offer transitional jobs which are limited, subsidized work experiences for youths with barriers to employment based on chronic unemployment or inconsistent work history. The WIOA Case Manager shall follow the steps below to determine eligibility and participation in WEX:

PROCEDURAL GUIDANCE

Work Experience Process

WEX participants must meet WIOA program eligibility requirements, be enrolled into the WIOA Youth program, and have received an assessment resulting in the development of an Individual Service Strategy that documents the participant's need for a Work Experience. The WIOA Youth services provider and participant mutually review and determine the feasibility of utilizing a work experience activity. The activity must focus on the development of appropriate work habits and ethics to include an understanding of employer/employee relationships.

The selection of a worksite for a paid or unpaid work experience is determined by the needs of the participant and WEX employer. When a Youth services provider identifies a potential worksite match between a participant and employer, the services provider staff will review the work experience opportunity with the participant and evaluate the participant's interest. For the work experience, the youth provider will:

- Arrange worksite interview(s) with the employer
- Complete a Work Experience Agreement
- Submit, update and/or modify the ISS
- Ensure that the justification for the work experience is in the participant's file and case notes (i.e., describe how the Work Experience matches the participant's needs and interests).

The Work Experience (WEX) Agreement

Every WEX opportunity will include a written, signed agreement (Work Experience Agreement) between the authorized Youth services provider representative and an authorized employer representative prior to the start of work. The Work Experience Agreement contains a Participant Training Plan to document the occupation, skills and competencies to be learned and the length of time the training will be provided (WIOA Section 194(1)). In addition, the Work Experience Agreement contains a Participant Skills Gain Evaluation form to document the participant's skills gains resulting from the work experience. Finally, the Work Experience Agreement also contains a Participant Monthly Evaluation form to be filled out by the employer. The completed Participant Training Plan, Participant Skills Gain Evaluation, and Participant Monthly Evaluation form must be placed in the participant's case file.

Modifications to the Work Experience Agreement must be in writing, signed and dated by all parties prior to the effective date of the modification. Verbal modifications are not valid. The Work Experience Agreement will be placed in the client case file.

Training Plan Elements

A WEX program is not intended for long-term continued training within the occupation. A WEX contract must be limited to the period of time required for a participant to become proficient in the occupation for which the training is being provided. In determining the appropriate length of the contract, consideration should be given to the skill requirements of the occupation, the academic and occupational skill level of the participant, prior work experience, and the participant's ISS. All determinations must be documented.

Measurable Skills Gain (MSG) Performance Measure Definition

The percentage of program participants who, during a program year, are in education or training programs that lead to a recognized postsecondary credential or employment and who are achieving measurable skill gains, defined as documented academic, technical, occupational, or other forms of progress, towards such a credential or employment. MSG should be based on the participant's ISS.

MSG Categories

- 1) Documented achievement of at least 1 Educational Functional Level (EFL) of a participant who is receiving instructions below postsecondary education level; or
- 2) Documented attainment of a secondary school diploma or its recognized equivalent (must be attained before program exit); or
- 3) Secondary or postsecondary transcript/report card for a sufficient number of credit hours that shows a participant is meeting the State unit's academic standards; or
- 4) Satisfactory or better progress report, towards established milestones, such as completion of OJT or 1 year of an apprenticeship program or similar milestones, from an employer or training provider who is providing training; or
- 5) Successful passage of an exam that is required for an occupation or progress in attaining technical or occupational skills as evidenced by trade-related benchmarks, such as knowledge-based exams.

CalJOBS Documentation

The Youth services provider will record all work experience activities into CalJOBS. Participant hard copy or scanned files must contain the required work experience documentation:

- Work Experience Agreement, including completed Participant Training Plan, Participant Skills Gain Evaluation, and Participant Monthly Evaluation form(s).
- Participant's WEX Timesheets

MSG Documentation

- 1) Completed Literacy/Numeracy Records are to be entered into CalJOBS for both Pre- and Post-Test, and original answer sheets are to be placed in the participant's file as indicated in Basic Skills Assessment (Literacy/Numeracy).
- 2) Measurable skills gains are to be entered into CalJOBS, and a copy of the secondary school diploma or equivalent dated before program exit is to be placed in the participant's file.
- 3) Measurable skills gains are to be entered into CalJOBS, and a copy of the secondary or post-secondary transcript/report card indicating the number of credit hours, applicable dates, and passing grades/credits is to be placed in the participant's file.
- 4) Measurable skills gains are to be entered into CalJOBS, and the Work Experience Agreement with the participant's WEX time cards, completed Participant Training Plan, and Participant Skills Gain Evaluation form are to be placed in the participant's file.
- 5) Measurable skills gains are to be entered into CalJOBS, and a copy of the passed exam is to be placed in the participant's file.

Participant Case File

All documentation relating to the selection of a candidate for a WEX opportunity and the development and maintenance of the participant's WEX Training Plan shall be included in the participant's hard or electronic case file. Participant files must be available to federal, state and local monitors for compliance review.

Monterey County WDB - Monitoring

- Monitoring at the local, state and federal level will include the WIOA Youth services provider's oversight of the WEX training and corresponding employer payroll records.
- On-site monitoring visits shall be conducted by WDB staff shortly after the participant begins WEX, with additional visits scheduled at appropriate intervals to be determined by length of the Participant Training Plan.
- Monitoring also includes a desk review of correspondence from the employer, including WEX invoices and required documentation to support those invoices.
- The Youth services provider must regularly review each participant's progress toward meeting program and service strategy objectives, including the participant's acquisition of basic/occupational skills and the adequacy of supportive services provided as related to WEX.
- Any deviations from the Work Experience Agreement shall be dealt with and documented promptly.

Exceptions

Any exceptions to this policy must be approved by the WDB-Executive Director or the authorized representative of the WIOA Youth services provider and must be documented in both the participant's and WEX Employer's files.

**ATTACHMENTS: (1) Work Experience Agreement
(2) WEX Participant Timesheet**

INQUIRIES

If you have questions, please contact staff at (831) 796-6434. This policy is posted on the WDB website located at: www.montereycountywdb.org/policies/.

CHRISTOPHER DONNELLY, Executive Director
Monterey County Workforce Development Board