

# West Central Arkansas Workforce Development Board

## Larry Carr, Chairperson

### Youth Work Experience Policy

#### Purpose

To provide policy direction and guidance for the implementation of Work Experiences for WIOA eligible youth. WIOA provides for a workforce system that is job-driven. The work experience program provides work experience to assist individuals in establishing a work history, demonstrate success in the workplace, and develop skills that lead to stable employment.

#### References

ACA§11-210(a)(4)(E)  
ADWS Policies 3.2 & 3.8  
20 CFR 681.460(a)(3); 681.600(c); 683.270; 683.280  
TEGL 21-16  
WIOA sec.129(c)(2)(C) d

#### Policy

A Work Experience opportunity may be provided as a program element service to enrolled youth who have met the requirements for enrollment and is based on the availability of funds.

Work experience is defined as “a planned, structured learning experience that takes place in the workplace for a limited period of time that contributes to the achievement of the participant’s employment goal(s). All work experiences must include academic and occupational education as a component of the work experience. With the mandate of a minimum of 20% expenditure for work experience, the career advisors are strongly advised to encourage all participants to participate in the work experience component.

The types of work experiences may include the categories of:

- a. Summer employment opportunities and other employment opportunities available throughout the school year;
- b. Pre-apprenticeship programs;
- c. Internships and job shadowing; and
- d. On-the-job training opportunities.

A work experience is not designed to replace an existing employee or position. The WIOA service provider furnishes wages, which are then directly disbursed to the participant. This established an employer-employee relationship between the service provider and the participant undergoing work experience. Labor standards apply in any work experience where an employee/employer relationship exists, as defined by the Fair Labor Standards Act. Employers are not monetarily compensated.

#### Policy Guidelines

##### Work Experience may consist of:

- work experiences must provide a planned and structured learning experience that will contribute to the achievement of the participant’s employment goals through a measurable training component.
- are designed to assist individuals to establish a work history, demonstrate success in the workplace, and

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develop the skills that lead to entry into and retention in unsubsidized employment.

- employers must be made aware of the expectations required of them to hire the participant if they are an acceptable candidate for full-time employment by the employer. If employer discovers that the participant does not meet their minimum requirements for full-time employment, said employer must contact WIOA staff to relocate participant to a new worksite. In this situation, employer will not be held to the hiring requirement.
- worksite agreements/contracts must be signed by all parties prior to the start of the work experience
- a single worksite agreement/contract may be written for group training with a single training site provided the working conditions, job description, wage rates and terms of the agreement/contract are the same for all participants covered by the agreement/contract.
- worksite agreements/contracts may be modified. All modifications must be in writing and signed by all parties prior to the effective date of the modification. Verbal modifications of worksite agreements/contracts are not valid.

### **Work Experience Funding/Duration Limits:**

- Work experience is subject to 40 hours a week.
- OJT, pre-apprenticeship and internship will be based on individual activity requirements.
- Participants participating in GED activity can work a maximum of 32 hours a week when their particular school is open. If school is closed, participants can work up to a maximum of 40 hours a week.
- The rate of pay for all work experience will be the entry level wage at the place of training, but not less than current minimum wage. OJT will be based on the contracted amount.
- The duration period for work experience will be a maximum of a year if they change jobs more than once. The career advisor will need to enter the Work Experience services on the ISS and the Service and Training Plan for each of occupation they are enrolled.

**Example 1:** If the participant completes work experience with the same occupation for six months, then their work experience would end at that time.

**Example 2:** If the participants leaves a job after working only three months, then they can work up to the year mark in another occupation.

- **Special Circumstances Duration:** Work Experience that is developed specifically for a person with a disability may be written for a period necessary for the participant to achieve the competencies listed in the Worksite Supervisor – Participant Evaluation Form. This will allow the flexibility to help ensure that youth participants are successful while participating in the work experience program. Determination will be jointly made between career advisor and management.
- Work experience is based on availability of funds.

### **Worksites:**

WIOA staff is responsible for identifying potential work experience sites. WIOA staff must ensure that the employer is aware of the requirements of WIOA. Although the Worksite Agreement provides detailed information, it is recommended that the WIOA staff specifically review the information with the employer. The worksite should be made aware that work experience is a supervised activity and all employer staff members who may be responsible for participant supervision and guidance must be knowledgeable of the program's requirements. They must also sign the Acknowledgement of Orientation Form.

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The career advisor must be especially careful to match the participant with the employer in selecting screening potential Work Experience sites. Factors such as location, general employment conditions, type of work, the participant's demonstrated aptitude and interest in the work offered, and availability of supervisory staff (2 or more staff) committed to a successful experience for the participant are essential consideration for the career advisor.

## Work Experience Review and/or Monitoring:

- Career advisors must ensure regular and on-going review and oversight of the work experience. The career advisor's review may be done through meeting with employer and or participant at the worksite, by phone, or email/text to make sure that all is going well at the worksite. They will make sure that if there are any problems and/or concerns to set up a meeting with the worksite supervisor and participant to work the issue out. They make sure that the worksite adheres to all the child labor laws.
- Supervisor Evaluations will be required at the end of the first pay period and then every two months thereafter. A final evaluation will be performed at the end of the work experience.
- The WIOA program operator's oversight of the work experience 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 work experience program is being conducted. The service provider will maintain its records and accounts in such a way as to facilitate the audit. Records must be maintained for three (3) years after the participant exits WIOA.

## Other Items:

1. Before a participant can be placed at a worksite where he/she has immediate family (biological, in-law, or adopted), approval must be granted in writing/e-mail by the Program Services Coordinator of WCAPDD, Inc. For purpose of this provision, the terms "immediate family" shall include: spouse, parent, son, daughter, brother, sister, grandparent, or grandchild.
2. Services performed for wages paid as part of a work-training program assisted or financed in whole or in part by any federal agency or an agency of a state or political subdivision are exempt from UI contribution coverage. Since the wages are exempt from coverage, they cannot be used to set up an unemployment insurance claim.
3. Since no policy can be all inclusive, any additional items, requirements, or decisions for work experience not addressed in this policy must be approved in writing/e-mail by the Program Services Coordinator.

*Any discrepancies arising between WDB policy and or procedures with federal and state provisions due to current or future revisions will default to the current minimum federal and state regulations and guidance available. WDB policy and or procedures may set forth stricter requirements than provided by federal and state guidance, but in no case will WDB policy and or procedures not meet minimum federal and state policy.*

Larry Carr  
Larry Carr, Chair

2/9/23  
Date

Approved on: 2/9/23

WDB is an equal opportunity employer and provider of employment and training services. Auxiliary aids and services are