

Program Year 2020 (Updated November 2020)

## What is a Work Experience?

Work experience is a critical WIOA work-based learning program element that can assist individuals to:

- Understand proper workplace behavior
- Understand what is necessary to attain and retain employment
- Receive career exploration, skill development, and reinforcement of work ethic
- Serve as a stepping-stone to unsubsidized employment
- Develop a career pathway

Work experiences should be designed to enable participants to gain exposure to the working world and its requirements while helping them acquire the personal attributes, knowledge, and skills needed to obtain a job and advance in employment. It also provides opportunities for career exploration and skill development and is not designed to solely benefit the employer; although, the employer may, in fact, benefit from the activities performed by the participant. Instruction in employability skills or generic workplace skills should be addressed by staff and worksites during a work experience. Work experiences may also provide exposure to various aspects of an industry and include progressively more complex tasks while providing interaction with others in a particular industry or occupation.

Work experiences should be planned, structured learning experiences that take place in a workplace for a limited period of time and may be in the private, for-profit sector; the non-profit sector; or the public sector and may be paid or unpaid learning activities. Participants receiving an unpaid work experience may receive a stipend upon approval of the Workforce Development Board (WDB). A work experience should also include an academic and occupational education component.

Other work-based learning activities can also include summer employment, pre-apprenticeship, internships, job shadowing, and on-the-job training (OJT). Participants receiving OJT must follow the local OJT policy.

## Who Can Participate in a Work Experience?

Enrolled adults, dislocated workers, and youth who meet eligibility requirements of WIOA may participate in a work experience pending available funding and **determination that the activity aligns with the individual's plan of service based off of their individual assessment results demonstrating the activity is needed.**

Participants who have little or no work history or are interested in exploring and gaining exposure to new/different skills are good candidates for a work experience activity. Any WEX activities established for adults/dislocated workers must be linked to career goals.

Career Advisors must assess the **readiness** of participants and determine suitability. Things to consider may include maturity, skill levels, transportation, and commitment. Often a work experience can also be correlated to other program expectations such as completing training or planned in conjunction with education or other expectations. Participant expectations should be outlined in the signed Participant Agreement.

Prior to and during a work experience, staff should provide information and guidance on soft skills, work readiness skills, and employer expectations. Staff **must provide at least one work readiness activity** with each participant prior to the first day on the worksite. This can be completed individually or in a group setting that reviews the expectations of a work experience along with basic employer expectations. Service providers may also want to consider providing scheduled workshops/sessions related to work readiness during the duration of the activity.

### Length of a Work Experience/Funding

When planning work experiences, consideration of funding availability is essential. A paid work experience should be **part-time for a period of about two to six months, no more than 720 total hours**. As appropriate, a work experience may be extended (however, not past six months) with a contract modification. Work experience agreements and activities must be updated to reflect the actual start and end dates accordingly. Participants **should not work more than 30 hours per week** without prior approval. The length and hours of placement should be determined based on availability of the individual and the worksite and should take into consideration other commitments such as school and family obligations.

A work experience can be shortened or terminated by the worksite, the participant, or staff if expectations are not being met (after corrective action has been put into place) by any party, or if at any point funding is determined limited.

Participants may participate in up to two paid work experiences if deemed appropriate.

**NOTE: WIOA Youth funding requires that at least 20% of funds be spent on youth work-based learning such as work experience/OJT. This can include participant wages and staff time used for the development and management of work experiences.**

NOTE: Service providers must develop a tracking system in order to track staff time spent on the development and management of youth program work experiences. This tracking will be used for reporting purposes.

### Choosing a Worksite/Worksite Expectations

Matching the participant with the right worksite/employer is essential to making a work experience successful and beneficial to all parties. Employers need to have a clear understanding and expectation of the attitudes and habits that a participant may exhibit. They also need to be prepared to spend adequate, quality time with the participant and provide appropriate supervision that allows for skill development. **Staff and the worksite must develop a job description individualized to the particular expectations and complete a worksite agreement.** Worksites are encouraged to interview potential participants as part of the work experience process.

Worksites should be selected based on the interests and abilities of the individual. Keeping in mind that a work experience is designed to provide career exploration and hands-on learning, if needed, a participant may be moved from one worksite to another when appropriate. Staff should also consider any criminal background of the participant that may impact placement, or the type of work being performed.

Only when deemed an appropriate “fit” may WEX time be performed virtually or remotely. In certain instances, worksites may develop skills or have projects that would allow for this type of work environment. Staff should carefully consider participant skill level and access to appropriate resources to perform expected work tasks.

Career Advisors may benefit from making use of other staff in the center that engage in employer outreach to identify potential worksites or assist with site visits. Business Service Representatives often have established contacts that will assist in placements or site visits.

Worksites must have designated supervision that provides guidance, work assignments, and skill development. Supervisors should complete evaluations every two weeks; review and approve timesheets; keep staff informed of any issues and/or exceptional performance; and report any accidents immediately. Worksites must also maintain work experience agreements along with emergency contact information for the participant.

Things to consider when selecting a worksite include adequate work and workspace, demands of the worksite, workplace health and safety, and realistic expectations. Staff should use their best professional judgement regarding placing participants in a situation that might make them feel vulnerable, unsafe, or threatened. When choosing employers, staff should consider the “value added” contributions an employer is willing to make such as refinement of work maturity skills, integration of work and learning, provision of on-site educational services, exposure to skill training, mentoring, exploration, career guidance, and/or possible future employment.

Worksites should provide general liability coverage. **WIOA providers will ensure that workers compensation insurance is provided to each participant and handle aspects of payroll processing** (with the exception of OJT, then the employer provides workers compensation/payroll). Worksites are expected to adhere to labor laws and OSHA compliance expectations and complete a Worksite Agreement.

Employers will benefit by participating in the WEX activity as it allows the employer to invest in developing the workforce and engage with workforce development programs, while benefiting from the assistance of the placed individual.

NOTE: WEX activities shall not reduce current employees’ work hours, displace current employees or create a lay-off of current employees, impair existing contracts or collective bargaining agreements, and/or infringe upon the promotional opportunities of current employees as defined in the Fair Labor Standards Act.

### **WIOA Staff Expectations/Monitoring**

Staff should be actively engaged in the development and monitoring of a work experience. While placing certain responsibilities on the individual may be appropriate, staff must ensure that all parties understand expectations, address any concerns, and have open and frequent communication.

Staff should address the following elements of a WEX:

- ✓ Provide pre-WEX activity to prepare the participant
- ✓ Assist the participant in identifying potential worksites
- ✓ Connect with the employer and review employer expectations
- ✓ Monitor worksites to include a site visit at least every two weeks
- ✓ Provide guidance and training to participants to include worksite expectations
- ✓ Establish and maintain necessary documents related to placements
- ✓ Handle aspects related to payroll based on the established scheduled

Prior to the first day at the worksite and ongoing as needed, **staff are expected to provide at least one work readiness activity** to the participant to address basic employer expectations to include timeliness, dress expectations, safety, following directions, etc. Planned work readiness training activities incorporated as part of the work experience can be paid time if included on the timesheet. Service providers are encouraged to develop and provide ongoing work readiness guidance/workshops that will result in successful completion.

Worksite visits should be made at least once per pay period (generally every two weeks) in person or virtually, unless deemed necessary for more frequent contact. Each visit allows staff the opportunity to observe work skills, address concerns, provide guidance, and address employer needs. If it is determined that there is not adequate, supervised work, or deemed not appropriate, the WEX should be ended. If appropriate, a new worksite should be pursued. Worksite visits also provide opportunity to engage with employers and provide resources that may be of benefit to them through the career center.

If the participant displays disciplinary problems (missing work, use of cell phones, not completing tasks, etc.), staff and the worksite supervisor should address the participant accordingly to correct the behavior as soon as possible. Ongoing problems or signs of no improvement may result in termination of the work experience. Illegal activity such as theft, use of drugs or alcohol, can be reason for immediate termination.

Documentation and worksites may be monitored at any time by the Workforce Development Board, the NC Division of Workforce Solutions and/or the US Department of Labor.

## **NCWorks Documentation**

All work experiences are to be documented in NCWorks by keying the appropriate activities and case notes to reflect progress of the placement, issues, site visits, etc. Work Experience activities include the following:

- 202 Adult/DW Career Guidance/Planning (Pre-WEX activity)
- 219 Adult/DW Paid/Unpaid Work Experience
- 401 Youth Pre-employment Training/Work Maturity (Pre-WEX activity)
- 426 Youth Paid/Unpaid Work Experience

There should be a single WEX activity keyed to cover the duration of the placement. Activities must have correct start and end dates that align with the first and last day at the worksite, which should also correspond to worksite agreements. Start and end dates on timesheets should also fall within the agreement timeframe.

All work experience activities should also be part of the individual service plan.

Agreements, timesheets, and other documents related to the work experience should be scanned into NCWorks following local and state guidance regarding scanning and redacting. All documents should be clearly legible and signed appropriately.

Case notes should summarize the progress of the WEX to include total hours worked/dates of the payroll period, general description of work performed, issues discussed or resolved, changes in location/schedule/or payroll, etc.

## **Supportive Services/Incentives**

Supportive services may be provided to participants who are placed in a work experience if a need is identified that prohibits successful completion following the local Supportive Services policy. Common supportive services include transportation, daycare assistance, or appropriate work attire.

Participants should receive guidance on money management and other necessary referrals which may reduce the need for supportive services.

Youth that successfully complete their planned work experience may receive a \$50.00 incentive following the local Incentive Policy.

## **Timesheets/Work Permits/Wage and Hour ([www.wagehour.dol.gov](http://www.wagehour.dol.gov))**

When a work experience is paid, the employer of record is the WIOA service provider (unless contracting through a temp agency or other organization, as approved). Participant wages are paid from WIOA funding. Staff must ensure proper tax forms (W-4 and NC-4) and Employment Verification (I-9) are completed prior to working. It is recommended that participants be paid at least every two weeks with a payroll schedule provided to each participant. Each participant's rate of pay and timeframe/hours should be included on the agreement.

Participants under 18 must have a Youth Employment Certificate/work permit before beginning work. Work permit information can be found at the [NC Department of Labor](#) site.

Wages shall be paid at no less than the minimum wage. Wages higher than minimum wage should align with **prevailing wage of the entry level position**. Wage increases are permitted when deemed appropriate based on positive evaluations. **Participants should not work more than 30 hours per week.**

WIOA work experience wages are reportable income for filing taxes, however, are not eligible for unemployment insurance benefits as the activity is considered a component of a workforce development training program. Earnings received from a work experience should not impact a participant's public assistance; however, individuals should inquire with the appropriate agency. WIOA staff are expected to assist individuals as needed in understanding wages and benefits.

Timesheets must be completed to reflect, at a minimum, the number of hours worked at the worksite. If applicable, youth participants can be paid for scheduled work readiness training as part of their work experience hours. Staff should assist participants and worksites in keeping timesheets completed accurately; ensuring they are reviewed and signed by the participant, the worksite, and staff. State and federal wage and hour laws require that employees be paid for all hours worked (even without a signed time sheet).

It is encouraged that participants that work six (6) or more hours receive a designated minimum 30-minute unpaid lunch break. By law if an authorized break is less than 30 minutes, it is paid work time.

### **Workplace Safety and Child Labor Laws**

General workplace safety is to be monitored by staff and worksite supervisors. Any identified issues must be addressed immediately by staff. A worksite must ensure that, if applicable, it will adhere to Child Labor Laws established by the NC Department of Labor and ensure safe and sanitary working conditions for all participants. Drug tests may be performed at random or in the event of a workplace accident if deemed necessary or if required by workers compensation insurance or the worksite.

All accidents must be reported to the worksite supervisor and employer of record and handled appropriately based on service provider guidelines and workers compensation policy requirements.

### Required Forms/Checklist

The following items are required for WEX:

- ✓ Individual assessment results/case notes identifying need for WEX
- ✓ Pre WEX activity for participant (keyed into NCWorks)
- ✓ WEX expectations training for employer
- ✓ Worksite Agreement (corresponding to activity dates in NCWorks)
- ✓ Participant Agreement (corresponding to activity dates in NCWorks)
- ✓ Participant Evaluations per pay period
- ✓ Job Description
- ✓ Tax Forms/I-9
- ✓ Emergency contact information/agreements for participant located at the worksite
- ✓ Timesheets
- ✓ Payroll schedule
- ✓ WEX activity is included in NCWorks and on the individual service plan
- ✓ Youth Employment Certificate (if under age 18)

### References

DWS [Policy Statement 10-17](#) Guidance on the Provision of WIOA Work Experience Opportunities

DWS [Policy Statement 04-2015, Change 1](#) OJT Using WIOA Funds

[NC Department of Labor](#)

<https://www.youthrules.gov/>

[Workforce GPS Paid/Unpaid Work Experiences](#)

[US DOL WIOA Youth Formula Program](#): TEGL 23-14; TEGL 8-15; TEGL 21-16