

INSTRUCTION LETTER

INSTRUCTION NUMBER: WIOA 17-13

TO: Upstate Workforce Board Youth Contractors

SUBJECT: Youth Work Experience

DATE

ISSUED: May 22, 2018

DATE

EFFECTIVE: Immediately

DATE

EXPIRES: Indefinitely

PURPOSE: The Upstate Workforce Board administers programs serving Out-Of-School youth in the Upstate service area. Steadfast in the belief that youth learn to work by working, the Upstate Workforce Board encourages youth contractors to utilize Workforce Innovation and Opportunity Act (WIOA) funds to assist youth in obtaining paid and unpaid work experience while enrolled in the program.

BACKGROUND: Section 129 of the Workforce Innovation and Opportunity Act (WIOA) establishes the use of funds for youth workforce investment activities.

1. Section 129(c)(2)(C) refers to paid and unpaid work experiences that have academic and occupational education, which may include –
 - i. Summer employment opportunities and other employment opportunities available throughout the school year;
 - ii. pre-apprenticeship programs;
 - iii. internships and job shadowing; and
 - iv. on-the-job training opportunities;
2. Section 129(c)(4) refers to not less than 20 percent of the funds allocated to the local area shall be used to provide in-school and out-of-school youth with activities under paragraph (2)(C)

DEFINITION OF KEY TERMS

The term “Work Experience” means paid or unpaid employment and training provided by an employer or provider to a participant while engaged in productive work in a job that:

1. Is limited in duration; The Upstate Workforce Board restricts the duration to 6 months, however, the Executive Director or a designee has the ability to extend the duration of a Work Experience if circumstances are justified.

2. Provides knowledge or skills essential to the full and adequate performance of the occupation;
3. Must include academic education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation.

In addition to the preceding list, "Paid Work Experience" must provide the following stipend conditions:

1. The Worksite Agreement will state the stipend amount and all the conditions so that the student and employer understand the agreement. The Work Experience hourly pay will be determined by the youth service provider with the length varying depending upon the total agreed amount. A typical Work Experience stipend is \$800 (84 hours) and some are \$1,000 (105 hours). Shorter and longer Work Experiences are adjusted accordingly at the per hour rate.
2. Timesheets will be due weekly with stipend checks issued upon processing.
3. To maintain youth interest and motivation, if the Work Experience is not completed, a stipend may not be paid if the participant fails to fulfill responsibility.

Eligibility Requirements

Participant Eligibility – All youth participants enrolled in WIOA services are eligible for participation in work experience activities, provided the activities are deemed in line with individual's career plan and service strategy.

General Work Experience Employer Eligibility – Potentially eligible companies able to participate in youth work experience contracting include: private for-profit businesses, private non-profit organizations, and public sector employers. The Upstate Workforce Board's selected in-demand sectors should be the focus for all work experience.

Paid Work Experience Employer Eligibility – The provider organization with which the youth is enrolled serves as the employer of record and is responsible for ensuring that wages/stipends are paid on time and in full. Non-profit, for-profit, and public entities are eligible to serve as paid work experience sites.

A company will not be eligible to host a youth participant for work if:

1. The company has any other individual on layoff from the same or substantially equivalent positions.
2. The youth paid work experience would infringe upon the promotion or displacement of any currently employed worker or cause a reduction in their hours.
3. The same or a substantially equivalent position is open due to a hiring freeze
4. The employer is a private for-profit employment agency, i.e. temporary employment

agency, employee leasing firm, or staffing agency.

POLICY: At least 20% of all Upstate Workforce Board WIOA youth funds must be used for paid and unpaid work experience programming, including the provider cost of administering such programs. Local grant agreements between the board and WIOA youth service providers will contain language and a set budget regarding work based learning expectations.

The Upstate Workforce Board encourages providers to enroll youth in paid work experience where possible. Youth participants in work experience must have an up-to-date Individual Service Strategy (ISS) reflecting the need for work experience.

A Worksite Agreement contract (see attachment) must be completed and placed in the participant file for each Work Experience.

A copy of participant pay records, timesheets and proof of the stipend received must be maintained in the participant file.

Employer Requirements

With assistance from youth contractor staff, participating employers must guarantee that:

1. The training to be provided will be in accordance with the Workforce Innovation and Opportunity Act (WIOA) 181 (a)(1)(A), and 683.275 for wage and labor standards. Worker protection requirements are set forth in WIOA Sections 181(a)(1)(A) and (B), (b)(2), (3), (4) and (5) and 188.
2. All applicable child labor laws are followed.
3. The employer agrees to cooperate with monitoring efforts as required by WIOA legislation and adhere to all other applicable local, state and federal rules and regulations.
4. Ensure funds are not used to directly or indirectly assist, promote or deter union organizing.
5. Employers must agree to respond to workforce development system staff requests for retention information of participants.
6. Employers are expected to provide a job description before the start of the work experience and complete an exit survey upon completion of the work experience.

General Requirements

1. Per WIOA regulations (20 CFR 683.200(g)), "no individual may be placed in an employment activity if a member of that person's immediate family is directly supervised by or directly supervises that individual." For the purpose of this policy, the term "immediate family" includes a spouse, child, son-in-law, daughter-in-law, parent, mother-in-law, father-in-law, sibling, brother-in-law, sister-in-law, aunt,

uncle, niece, nephew, stepparent, stepchild, grandparent, and grandchild.

2. Provider costs of administering paid and unpaid work experience programs are allowable costs under this policy.

INQUIRIES: Questions may be directed to Dana Wood wood@upstateworkforceboard.org or 864-596-2028 TTY:711.



Ann Angermeyer, Director