

Rivers East Workforce Development Board

1502 N Market Street, Suite A
Washington, NC 27889
Tel: (252) 946-8043 / Fax: (252) 946-5489
www.riverseastwdb.org



RIVERS EAST LA ISSUANCE 2021-06, CHANGE 1

SUBJECT: Work Experience Policies for WIOA Youth Programs

PURPOSE: Update Tier hours; Tier 1 is now max of 700 hours; Tier 2 is a max of 340 hours; total hours are now 1,040 hours.

ACTION: WIOA Youth Operators must implement the attached policy and forms for youth work experience.

EFFECTIVE DATE: July 1, 2021

REVISION DATE: May 11, 2022

A handwritten signature in cursive script that reads "Jennie Bowen".

Jennie Bowen
Workforce Development Director

Attachments

Serving: Beaufort County • Bertie County • Hertford County • Martin County • Pitt County

Mid-East Commission • Workforce Development Department
"Committed Equal Opportunity Employer/Programs"

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Background

"Work Experience (WEX) Training" is a planned, structured learning experience that occurs in a workplace for a specified, limited period of time. The purpose of the WEX activity is to provide the WIOA Title I participant with opportunities for career exploration, skill development, and reinforcement of work ethic.

Pursuant to WIOA section 129(c)(2)(C), youth programs are required to offer paid and/or unpaid work experiences that have both academic and occupational education as a component. The educational component may occur concurrently or sequentially with the work experience. Further academic and occupational education may occur inside or outside the work site.

Work experiences provide the youth participant with opportunities for career exploration and skill development. These experiences may include:

- (1) Summer employment opportunities and other employment opportunities available throughout the school year;
- (2) Pre-apprenticeship programs;
- (3) Internships and job shadowing; and
- (4) On-the-job training (OJT) opportunities as defined in WIOA Section 3(44) and NC Policy Statement 04-2015.

WEX Training may be in the private for-profit sector, the non-profit sector, or the public sector. The intent of WEX is not to benefit the employer, although the employer may, in-fact, gain from the activities performed by the participant, and in some cases may result in an employment offer. 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.

Documentation must be included to specify how the WEX hourly wage rate is determined, maximum training hours, assessment method(s), how a participant's need for WEX is determined, a worksite agreement form and other WEX forms, a process to evaluate the performance of the WEX participant, and documentation of academic and occupational education.

Work Experience Guidelines

Youth Work Experience – 30 Percent Spending Requirement

While WIOA requires youth programs to expend not less than 20 percent of the Title I youth funds allocated to them to provide in-school youth and out-of-school youth with paid and/or unpaid work experiences, Rivers East requires 30 percent of total youth allocations to be budgeted for work based learning.

Youth programs must track program funds spent on paid and unpaid work experiences, including wages and staff costs for the development and management of work experiences, and report such expenditures accordingly. The percentage of funds spent on work experience is calculated based on the total local area youth funds expended for work experience, rather than calculated separately for in-school and out-of-school youth.

Work Experience Assessment

The service provider shall ensure that the WEX training is appropriate based on the needs identified by an objective and comprehensive assessment and as documented in the Individual Employment Plan/Service Strategy (IEP/ISS). The WEX IEP/ISS should clearly indicate how this activity is going to help the participant move from the WEX to unsubsidized employment or on to further training.

Documentation of the need for work experience that is tied to and supported by academic and occupational education and the objectives of the work experience must be detailed in the IEP/ISS. Operators will perform an assessment to determine as appropriate based on identified needs, (including but not limited to assessments of basic skills, prior work experience, employability skills, occupational skills, supportive service needs, and interest and aptitudes) that a participant would benefit from this service. Individuals that may be determined to have a need may include, but is not limited to those with little to no work experience, individuals with occupational skills training but no work experience in a specific occupation/career, and individuals that need career exploration. All information including assessment information and goals must be included in the IEP/ISS.

Periodic evaluation of the participant's learning and attainment of skills during the work experience should be documented in case notes in NCWorks Online. The Local Area requires at minimum, a mid-point and final evaluation. When possible, it is strongly encouraged that the WEX and its associated training components be directly tied to the attainment of a credential and documented in the IEP/ISS. Program providers should use either the employer job description or an O*NET job description when developing the competencies to be learned and evaluated in the WEX. The IEP/ISS should include the job skills needed, training hours, and estimated start and end date. Youth academic and occupational components must be included.

The maximum duration of the work experience component shall not exceed 1,040 total hours per program participation. Program operators must specify the maximum duration of WEX hours per program year. The determination of the duration of the WEX should be based on the academic and occupational competencies the WIOA participant needs to develop or refine and must be specified in the IEP/ISS. Academic skills training could be basic skills education or high school equivalency training. Occupational skills competencies may be gained through the WEX, HRD classes or through courses specific to the job/career/occupation in which the individual is having the work experience.

Choosing a Worksite

An individualized WEX skills analysis must be performed to determine the acquisition of skills that the participant does not already possess. Skills the participant may have acquired from previous work or life experiences are potentially transferrable and can be used in every occupation, regardless of the type of work. Transferrable skills are unlike job-related skills, which tend to be used only in one type of work.

Matching a WIOA participant with the appropriate worksite is critical to a successful WEX job assignment. Worksite supervisors need to have a clear understanding of the objectives of the WEX job assignment and realistic expectations of the work products and productivity that a WIOA participant may demonstrate. The participant must have adequate supervision, as any other entry-level employee. The worksite must be willing to allow Board staff, the North Carolina Division of Workforce Solutions and/or US Department of Labor to perform onsite monitoring to ensure compliance with the worksite agreement, as well as, to monitor the progress of the participant.

Operators should use discernment when choosing worksites. When choosing employers, analyze the "value-added" contributions an employer is willing to make to the experience for the participant. Examples of such contributions are structured development/refinement of work readiness skills, provision of on-site educational services, and exposure to enhanced skill training and mentoring.

The Board strongly discourages the practice of placing participants in WEXs located at the board office, career center, or administrative entity due to the potential of conflicts of interest. Placement at these locations should only be allowed where there is specific documentation in the file that the particular experience meets the participant's career goals and skills needs AND there is no other placement opportunity available. All of these placements must be approved by the Local Area before a participant is placed at these worksites.

In addition, any work experiences with the following job titles will require special approval from the Local Area prior to placement: Custodian, Janitor, Housekeeper or Childcare Assistant.

Tiered Work Experience

This tier-system is designed to assist our participants with moving through our program without getting stuck in the day-to-day processes. This system is also designed to assist the participant and the Career Advisor in determining when the participant is ready for Work Experience.

Remember, not all participants will be "suitable" for work experience.

Step 1 – Career Exposure

Youth participants are to be divided into Cohorts based on industry sectors, and are provided a guided facility tour of potential worksites. The tour should include time for the participants to ask questions to ensure they fully understand the career pathway they have chosen to pursue. Participants are limited to three facility tours, based on their Traitify results.

Career Advisors should schedule facility tours based on participant career interests. Career Advisors may combine counties, depending upon the needs of our participants. Career Advisors will be required to add a "409" Activity Code and document a case note indicating the industry the participant visited and the outcome of the visit in regards to participant career choice. Career Exposure tours are an unpaid activity.

Step 2 – Job Shadow

Job Shadowing will allow the participant to explore their chosen career based on the facility tours. This will allow the participant the opportunity to “experience” the job first-hand before expending any work experience hours. The detailed Job Shadow Program requirements are:

- will be unpaid
- should be a minimum of 6 hours; can be more depending upon the worksite and career path chosen
- career pathway must be in the top ten of their Traitify
- participant will write a note to the employer to thank them for the tour and the job shadow opportunity
- participant will also write a short summary of their experience to be used by the Career Advisor in determining the participants readiness and suitability for a Level 1 Work Experience

Career Advisors will be responsible for setting up job shadow opportunities based on the industry tours. Career Advisors should make their Center Manager aware of scheduled tours before they occur.

Career Advisors will be required to add a “409” Activity Code and document a case note indicating the worksite and hours completed. Career Advisors will also need to upload a copy of the summary and thank you note.

Step 3 – Work Experience, Level I

Participants with little to no experience in their chosen career pathway, who have completed an industry tour, and have completed an unpaid Job Shadow activity, can be placed in a paid work experience setting. **Worksite placements MUST match the participants chosen academic and career goals.**

Participants can participate in a maximum of two (2) Level I Work Experience assignments. Both assignments combined cannot total more than **700 hours**. Any additional placements needed in excess of the two allowed would require special approval from the Local Area.

If the participant does not have their High School Diploma or High School Equivalency, they will need to complete this credential prior to being placed on a Level II Work Experience.

Career Advisors will be required to add the “408” Activity Code and document a detailed case note indicating work site, hours assigned, and intended outcome. Career Advisors will also need to upload all signed Work Site Agreements and completed Work Plans with supporting documentation (Prevailing Wage Form, Work History, and Job Description).

Step 4 – Work Experience, Level II

Participants who have completed all three steps above but still lack the necessary skills for unsubsidized employment can be placed in a Level II Work Experience. The Level II work site cannot be the same as their Level 1 work sites, unless you have a signed letter from the employer stating they plan to hire the participant at the end of their work experience hours. Participants cannot exceed a total of 340 hours.

A Level II Work Experience **MUST** lead the participant to a full-time job; unsubsidized, subsidized through the On-the-Job Training Program, or as part of a Registered Apprenticeship.

Career Advisors will be required to add the “408” Activity Code and document a detailed case note indicating work site, hours assigned, and intended outcome. Career Advisors will also need to upload all signed Work Site Agreements and completed Work Plans with supporting documentation (Prevailing Wage Form, Work History, and Job Description).

Establishing Prevailing Wage

Individuals participating in a 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 rates may not be lower than the higher of the federal or state minimum wage.

Wage requirements under the Fair Labor Standards Act (FLSA) apply to all youth employed under WIOA. The FLSA applies to the extent that the activities performed in the work experience constitute employment. There must be a determination whether work experience constitutes training as opposed to employment. Please contact a Certified Public Accountant for

more information.

To be in compliance with the prevailing wage and employee compensation rates, all Rivers East WEX will follow the procedures below for WIOA WEX hourly wage rates.

- Career Advisors will meet with the employer to obtain the employer job description for the WEX position.
- The employer will document the hourly wage and required experience for employees in the WEX position.
- The WIOA Career Advisor will obtain a resume or documented work experience for the WIOA participant.
- The WIOA Career Advisor will determine the hourly wage rate based on rates for employees of the same employer who have similar training, experience and skills;
- Participants with no work history or no experience in the WEX occupation(s) will be paid the entry level hourly wage of the employer.
- The participant must be compensated at the same wage as other employees who are in similar occupations by the same employer and who have similar training, experience, and skills. Participant cannot receive a higher wage or lower wage as an employee in the same position.
- Wage increases must match employer's wage increase policy. For example, if the employer gives a dollar an hour wage increase after 90 days, the participant can receive this wage increase with a satisfactory evaluation. This information must be documented in case notes.
- NCWorks and O*NET are the only approved sources if the employer does not have wage information for the WEX position.
- The rates may not be lower than the higher of the federal or state minimum wage.

Employers that do not have a job description or the position will be a lower position (such as a helper/assistant), Career Advisor must follow the procedure below in determine the prevailing wage.

Lower position example: The employer has a job description for a maintenance position. The WEX position will be for a maintenance helper. The employer does not have a job description for a maintenance helper.

- The WIOA Career Advisor will obtain the job description/job duties and wage information for the position from the employer (maintenance position).
- The WIOA Career Advisor will obtain a resume or documented work experience/history for the WIOA participant.
- NCWorks or O*NET are the approved sources and will be used to obtain the prevailing wage for the county and the WEX position.
- All documentation (Employer Prevailing Wage Rate Form, Employer Job Description, Participant Resume/Work History, and NCWorks/O*NET Prevailing Wage Documentation) will be scanned and emailed to the Local Area's Strategic Initiatives Coordinator.
- The Strategic Initiatives Coordinator will review all the documentation and calculate the prevailing wage and return the local area approved Work Experience Wage Analysis Worksheet to the Career Advisor.
- The prevailing wage rate documentation must be scanned into NCWorks and the prevailing wage justification documented in case notes.

Work Plan

The Career Advisor will complete the Work Plan paying special attention to the Previous Job Skills obtained from the participant's resume or Work History Form. The Work Plan will contain occupationally specific skills that the employer requires for competency in the WEX occupation. An analysis of the participant's prior work history, transferrable work skills, and the job skills gained must be compared to the job skills/job description the employer requires in the WEX occupation. If the employer did not provide a job description, then the ONET description should be used to do this analysis. The resulting gap in skills will be the basis for the development of the WEX and would be listed under the "skills to obtain". If the participant already possess a skill set, it should not be listed on the "skills to obtain" list.

Operators may use assessment tools available to conduct a skills analysis and provide adequate documentation of the process utilized. This includes O*NET Online website and www.myskillsmyfuture.org which have both been developed by the U.S. Department of Labor.

The intent of the work experience is to provide the participant with an opportunity to gain additional skills needed for future employment.

Worksite Agreement

There must be a WEX Worksite Agreement between the service provider and the employer that articulates the learning that is to take place, the length of the WEX, and the academic and/or occupational competencies to be obtained. The Worksite Agreement must be completed and signed prior to the start of the WEX. The service provider will use the Rivers East standardized Worksite Agreement. Additionally, the service provider must provide documentation that the employer and the participant received WEX Orientation by reviewing the Participant and Supervisor Handbook and uploading the signature page into NCWorks.

The purpose of the worksite agreement is to establish a formal training relationship with a worksite, to specify the responsibilities of each party to the agreement, and to provide a successful, enriching WEX job experience for the WIOA participant. A signed original of the Worksite Agreement should be on file at the worksite and scanned into NCWorks. The provider should scan all WEX documents into NCWorks and maintain detailed case notes in NCWorks.

Employer Retention Rates:

Employers are required to maintain a 66% retention rate for all participants placed in a Tier 2 WIOA sponsored work-based learning component. At the time it is determined they have fallen below the 66% rate, the following will occur:

- Level 1, Warning (90 days)
- Level 2, Suspended for six months
- Level 3, Suspended for one year
- Level 4, Removed from eligible worksite list

Timesheets

The Career Advisor will deliver participant timesheets to the worksite supervisor with the information on the upper portion completed. The timesheet is the official record determining the pay for the participant. It is your responsibility to ensure that the participants at the worksite correctly report all time worked. Participants must sign the timesheet in **black or blue** ink at the end of each day and at the end of each pay period. **Any change on a timesheet must be**

marked through and initialed by the participant and supervisor. Do not allow participants to sign out for the day until the end of the day. You are not to pre-sign timesheets. Under no circumstances should whiteout be used on timesheets. Messy timesheets or those with obvious whiteout will not be considered for reimbursement. **It is the responsibility of the Career Advisor AND the Program Supervisor to review the timesheet thoroughly before approving for payment.**

Each participant will enter the actual hours worked, but the supervisor **must** verify hours reported **before** the form is signed by the supervisor. **In the event the participant hours needs to be rounded; hours should be rounded up to the nearest “quarter” hour. For example, if the participant records 5.20 hours; that can be rounded to 5.25 hours. If the participant records 5.60 hours; that can be rounded to 5.75 hours.**

Evaluations

Participants will be evaluated periodically during the program. The Local Area requires at a minimum, a mid-point and final evaluation. Work skills, from the Work Plan, will be measured based on demonstrated performance at the worksite. The Career Advisor should review the evaluation to determine the need for the WEX to continue. For example, if the participant has “mastered” all the job tasks by the Mid-point evaluation, the WEX should be ended or additional job tasks added to the WEX Work Plan. If the participant has mastered the majority of the job tasks; a detailed case note needs to be added to justify the continuation of the WEX and/or additional job tasks added to the WEX Work Plan. The same holds true if the Career Advisor sees a job task marked as unsatisfactory; there should be a detailed case note explaining what assistance we provided the participant to assist with improving in that tasks/need. The Evaluation should be reviewed and discussed with the participant. The Form must be signed by the Supervisor, Participant, and the Career Advisor and uploaded into NCWorks.

Worksite Folder and Monitoring

Once all paperwork is complete, a Worksite Folder should be created. The Folder should contain the following: Worksite Information and Monitoring Form, Original Work Site Agreement, Original Work Plan and Job Description, Work Experience Evaluation Form, the initial Timesheet, Emergency Contact Form, Permission to Transport Form (if participant is under the age of 18), and the Folder Checklist. The Worksite Folder is to remain at the worksite

as long as the participant is working.

It is the responsibility of the Career Advisor to monitor the participant and the worksite monthly. This can be done as timesheets are picked up or an unscheduled visit. The Career Advisor should complete the Monitoring Section of the Worksite Information and Monitoring Form. The Career Advisor will enter a detailed case note in NCWorks, documenting the visit and outcome of the monitoring.