

**Policy Name:** Youth Work Experience Policy

**Policy #:** BGWIOA-R17-S10

**Effective Date:** May 23, 2017

**Applies to:** Youth (Older)

1. **Purpose:** This purpose of this policy is to provide guidance to Youth Coordinators and Subcontractors on the background, reason, and implementation of paid or unpaid internships and/or work experience for the Youth Program.
2. **Background:** This policy was established based on previous program methods. At least 20 percent of local Youth formula funds must be used for work experience, such as summer and year-round employment, pre-apprenticeship, on-the-job training, or internships and job shadowing.

For additional information regarding Guidance used to create this policy reference:

- WIOA section 129(c)(4)
  - WIOA section 181
  - (TEGL 21-16) Youth Formula Program Guidance20
  - (TEGL\_23-14-12) Expanded Work Experience Focus.
  - (TEGL 08-15) Training and Employment Guidance Letter
  - CFR § 680.700 Requirements for OJT
  - CFR § 680.840 Work Experience and Labor Disputes
  - CFR § 681.570 Supportive Services
  - CFR § 681.570 Work Experience Priority
  - CFR § 681.600 What is Work Experience
  - CFR § 683.200 Fiscal and Administrative Rules for WIOA
  - CFR § 683.275 Wage and Labor Standards for WIOA
3. **Definitions:**
    - **In-School Youth** – Youth ages 16 to 21 and meet one or more of the following conditions:
      - Basic skills deficient; English language learner; an offender; homeless, runaway, in foster care or aged out of the foster care system; pregnant or parenting; an individual with a disability; person who requires additional assistance to enter or complete an educational program or to secure and hold employment
    - **Out-of-School Youth** – Youth ages 18 to 24 and meet one or more of the following conditions:
      - School dropout; within age of compulsory attendance but has not attended for at least the most recent complete school year calendar quarter; holds a secondary school diploma or recognized equivalent and is low-income and is basic skills deficient or an English language learner; subject to the juvenile or adult justice system; homeless, runaway, in foster care or aged out of the foster care system, eligible for assistance under Section 477, Social Security Act, or in out-of-home placement; pregnant or parenting; an individual with a disability; low income person who requires additional assistance to enter or complete an educational program or to secure and hold employment.
    - **Fourteen Youth Program Elements** – (1) Tutoring/Drop-out Prevention; (2) Drop-out Recovery/Secondary School Services; (3) Paid and Unpaid Work Experience; (4) Post-Secondary Education; (5) On-the-Job Training, Occupation Specific Training; (6) Leadership Development; (7) Supportive Services; (8) Adult Mentoring; (9) Follow-up Services; (10) Drug and Alcohol Abuse Counseling; (11) Financial Literacy Education; (12) Entrepreneurial Skills Training; (13) Labor Market and Employer Information; (14) Preparation for Post-Secondary Education.
    - **Work Experience** – Work experience is classified as: paid or unpaid - summer and/or year-round employment, pre-apprenticeship, on-the-job training, internships and job shadowing. The Work Experience program has three primary focuses: 1) to allow for first experience in a job,

where the youth is screened and tutored in soft skills. 2) To allow a youth to find gain experience for a resume for the purpose of gaining full time, permanent, and self-sufficient employment, 3) In lieu or supportive services, when a youth is in training, similar to a “work study” program.

*If the youth is a dropout, they use the career exploration process to illustrate how important a diploma/HSE is, along with additional training-either worksite or classroom-based in order to get a job that has career potential and the opportunity to advance and make more than minimum wage. A promise of incentive payments and a paid work experience assignment are often used to get the youth to participate in career exploration activities and complete their high school education. Work experience assignments are then developed, primarily in the private sector, in a career field in which the youth is interested. A relationship with local employers has been developed through a strong business services program, and is critical to placing these youth in employment upon program completion.*

- **Youth Incentive** – A payment used to produce greater output or investment in the outcome of goals for youth enrolled in the program. Youth Incentives are identified through the Bluegrass LWDA Request for Proposal (RFP) process. Incentives are approved based on the award of a contract with the youth provider.
- **Paid and Unpaid Work Experience** - Paid and unpaid work experiences that have academic and occupational education as a component of the work experience, which may include the following types of work experiences:
  - (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;

#### 4. **Eligibility:**

##### 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 the 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. WIOA youth providers are responsible for ensuring that the on-site supervisors of all youth participants placed in paid or unpaid work experience have all applicable child abuse and criminal background check clearances.

##### 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 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 experience if:

- The company has any other individual on layoff from the same or substantially equivalent positions.
- The youth paid work experience would infringe upon the promotion or displacement of any currently employed worker or cause a reduction in their hours.
- The same or a substantially equivalent position is open due to a hiring freeze.

- The employer is a private for-profit employment agency, i.e. temporary employment agency, employee leasing firm, or staffing agency.

5. **Requirements:**

1. Request for Proposals (RFP)'s will establish youth work experience range and limits.
2. The establishment of youth work experience must be outlined in process and amount in the awarded contract with the youth provider.
3. 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.
4. Provider costs of administering paid and unpaid work experience programs are allowable costs under this policy.

5. **Employer Requirements:**

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

- a) The training to be provided will be in accordance with the Workforce Innovation and Opportunity Act (WIOA) 181(a)(1)(A), and 683.275 or 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.
- b) All applicable child labor laws are followed.
- c) 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.
- d) Ensure funds are not used to directly or indirectly assist, promote or deter union organizing.
- e) Employers must agree to respond to workforce development system staff requests for wage and retention information of participants.
- f) Employers are expected to provide a job description before the start of the work experience and complete periodic evaluations and exit on-site evaluation of youth.

6. **Policy:**

1. If outlined in youth contractor's agreement, provider can provide paid work experience.
2. Work Experience will be for no more than 320 hours at the prevailing wage, but not less than minimum wage.
  - a) Exceptions to the 320 hour limit may be made under special circumstances as approved by the Youth Subcommittee, Full Board, or Executive Committee if funds are available.
3. Employers must sign a Work Experience agreement.

7. **Inquiries:** Questions should be addressed to the Youth Program Manager and/or the Director of Workforce Services.