



Workforce Investment Act (WIA)
Work Experience Activity Policy
Effective November 1, 2010

What is a Work Experience?

Work experiences are planned, structured learning experiences that take place in a workplace for a limited period of time. Work experience workplaces may be in the private, for-profit sector; the non-profit sector; or the public sector. Work experiences may be paid or unpaid learning activities.

Work experiences are designed to enable WIA participants to gain exposure to the working world and its requirements and should help participants acquire the personal attributes, knowledge, and skills needed to obtain a job and advance in employment. The purpose is to provide the participant with the opportunities for career exploration and skill development and is not to 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.

Who can participate in a Work Experience?

Adults, dislocated workers, and youth who meet eligibility requirements of the Workforce Investment Act and enrolled in WIA may participate in a work experience pending available funding and determination that this activity meets the individual's plan of service. Often a work experience can be correlated to other program components such as completing training or may be performed in conjunction with education or other program expectations. A work experience should not be the first WIA activity for a participant. Participants must have demonstrated that they can be counted on to fulfill expectations and commitments in order to be placed in a work experience.

Length of Work Experience

The general length of a work experience should be part-time for a period of two to six months. As appropriate and approved by the Program Supervisor, a work experience may be extended (however, not past six months). In general, participants should not work more than 20-30 hours per week. Length and hours per week should be determined as most appropriate for the worksite while also taking into consideration other commitments such as the participant's school schedule. Consideration of WIA funding is essential. A work experience can be terminated by the worksite or WIA staff if expectations are not being met.

Timesheets/Wage and Hour (www.wagehour.dol.gov)

When a work experience is paid, the participant becomes an employee of the WIA Service Provider Agency and wages are paid from WIA funding.

Wages shall be paid at no less than the minimum wage (If the federal and state minimum wage rates are different, the minimum rate of pay would be the higher of the two). In general, participants should not work more than 30 hours per week. Overtime is not allowed. Staff must ensure proper tax forms and I-9's are also completed.

WIA work experience wages are not eligible for unemployment insurance benefits as the activity is considered a component of a workforce development training program. Participants receiving public assistance should inquire with the appropriate agency regarding the possible impact on their benefits due to earnings received from the work experience. WIA staff are expected to assist customers with this process.

Timesheets must be completed to reflect the number of hours working at the worksite and if applicable, the hours spent on scheduled work readiness training (generally for youth programs). WIA staff must assist participants and worksites in keeping timesheets completed accurately; ensuring they are reviewed and signed by the participant and worksite Supervisors; and by WIA staff prior to submitting them for payment. State and federal wage and hour laws require that employees are paid for all hours worked – *even without a signed time sheet.*

By law, employees ages 14-15 must get a 30 minute break from all work duties after five consecutive hours of work. Those employees 16 and older are not required by law to have designated breaks, however, it is encouraged that participants who work six 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/Work Permits (www.nclabor.com)

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

WIA Providers must have appropriate Workers Compensation Insurance in order to offer work experiences.

Any workplace accident must be reported immediately by the participant to their worksite Supervisor and to WIA staff. By law, the accident must be reported ***immediately*** to the NC Industrial Commission (by the worksite or the WIA Service Provider). WIA Service Providers are responsible to ensure that all reporting is done in a timely accurate manner.

Work Permits must be obtained by the worksite (even though they are not the employer of record, they are benefiting from the worker) for youth 14-17 years old except for those placed at a government or agriculture worksite. Work permits must be maintained at the worksite and in the WIA participant file.

Choosing the Right Employer/Worksite Expectations

Matching the participant with the right employer is essential to making a work experience successful for the participant and employer. 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.

If applicable, worksites must also understand that a portion of the participant's time will be in a work readiness training component and must allow flexibility of scheduling if needed. Effort should be made to place participants at a worksite that matches their interests and abilities. 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 the worksite is not an appropriate "fit."

It is also expected that worksite Supervisors will perform evaluations every two weeks; notify the WIA staff of potential issues and/or exceptional performance; and review and approve the participant timesheet to be submitted for payment to WIA staff. The WIA staff and worksite must develop a job description individualized to the particular position being filled and complete a worksite contract.

The worksite will provide general liability insurance coverage. WIA Providers will provide workers compensation insurance on each participant.

It is required that:

- Participants will not perform work related to a casino or other gambling establishment, aquarium, zoo, golf course, or swimming pool;
- Worksites must ensure that WIA placements will not displace current workers or be filling the exact position of a vacancy due to layoff status;
- Participants may not be involved in religious sectarian instruction or activities while on the job.

Participants are expected to receive training in basic work skills. Worksites that provide training in academic and occupational skills that may help them in their career choices and preparation are encouraged.

Worksites that provide the opportunity for exposure to "green" jobs and knowledge are encouraged. Examples include solar, geothermal, wind power design, and the use of environmentally-friendly building materials or practices as well as conservation and sustainability efforts representing green work such as energy-efficient efforts, solar panel installation, reclaiming of public park areas, or various recycling efforts, etc.

In summary it is expected that worksite Supervisors will:

- Provide on-going supervision
- Serve in a mentoring and learning environment
- Ensure that there is meaningful adequate work and provide needed tools/equipment to perform the job
- Complete performance evaluations at least every two weeks and review with participant
- Notify WIA staff of potential issues and/or exceptional performance
- Review and approve the participant timesheet to be submitted for payment
- Develop a job description individualized to the particular position being filled
- Complete a worksite contract identifying beginning and ending dates
- Communicate with WIA program staff
- Maintain a participant file at the worksite
- Provide general liability insurance coverage
- Ensure that participants will not perform work related to a casino or other gambling establishment, aquarium, zoo, golf course, or swimming pool
- Participate in a worksite orientation with program staff
- Adhere to Child Labor Laws and OSHA compliance
- Contact the WIA staff immediately in the case of an accident

WIA Program Staff Expectations

WIA staff will determine eligibility of participants; provide placement of participants; will be available to address worksite concerns or issues; monitor worksites; provide career counseling and training for participants, and maintain detailed participant files. WIA staff will submit participant timesheet for payroll processing.

Staff are to also provide and document an orientation to participants and worksites regarding program expectations and guidance for successful placement and complete worksite/participant agreement forms.

Worksite visits should be made at least once per pay period. More frequent contact may be deemed necessary and appropriate.

WIA staff must ensure that all workplace accidents are reported immediately to the NC Industrial Commission.

Keying Work Force +

Staff are to record the work experience activity in WF+ with appropriate documentation in case notes that documents progress, issues, site visits, etc.

For youth, the Y-Paid/Unpaid Work Experience Activity is to be keyed with the start/end dates along with the organization name/address and contact information and rate of pay.

For A/DW, the I-Adult Work Experience Activity is to be keyed with the start/end dates along with the organization name/address and contact information and rate of pay.

Monitoring

It is the responsibility of WIA staff to monitor work experiences. Worksite visits should occur at a minimum once per pay period. Monitoring visits should include observation of the participant at work and contact with the Supervisor to identify any issues that may need to be addressed. If it is determined that a participant does not have adequate, supervised work; WIA staff will discuss this with the worksite Supervisor to correct the situation. If the situation cannot be resolved, a new worksite should be pursued. If the participant displays disciplinary problems, WIA staff and worksite Supervisors will address this with the participant in an attempt to correct the behavior. If issues and/or behavior cannot be corrected, the work experience will be terminated.

For youth participants, WIA youth staff should follow the Work Experience Disciplinary Policy.

All program and worksite files may be monitored and worksite visits may be made at any time by Local Area staff, the NC Division of Workforce Development, or the United States Department of Labor, etc.

Supportive Services

Supportive Services may be provided to participants who are placed in a work experience if an emergency need is identified that prohibits successful completion.

In general, transportation reimbursement can be provided upon initial placement until the participant receives their first paycheck. Emergency assistance for daycare fees may also be provided if the need is determined. Other emergency assistance will be determined on a case by case basis. Funding may also be used to assist participants with appropriate or required workplace clothing if needed.

Funding/Restrictions

All activities related to the WIA work experience are contingent upon funding availability. If at any point funding is determined limited, activities may be shortened, suspended or ended.

In the event that special funding is received, additional rules/guidance may be required to meet the expectations of the additional funding source.