

WIOA YOUTH WORK EXPERIENCE POLICY

Effective Date: March 17, 2022

Background: Work Experiences, internships, and registered apprenticeships are defined as follows:

- A. Work Experiences: A planned, structured learning experience that takes place in a workplace for a limited period of time for those who have had little or no prior experience in the workplace. This may include a work study program which enriches the client's academic knowledge, job readiness skills and at the same time, offers "Real Time" experience in the workplace.
- B. Internships: A planned, structured learning experience that takes place in a workplace for a limited period of time. This may include a work study program which enriches the client's academic knowledge primarily in a specific skill. This training should also expose the clients to a specific career path.
- C. Registered Apprenticeships: A proven model of job preparation that combines paid on-the-job training (OJT) with related instruction to progressively increase workers' skill levels and wages. Registered Apprenticeships are a business-driven model that provides an effective way for employers to recruit, train, and retain highly skilled workers. As an "earn and learn" strategy, it offers job seekers immediate employment opportunities that pay sustainable wages and offer advancement along a career path.

General Work Experience/Internship/Registered Apprenticeship Provisions:

General provisions for determining the appropriateness of work experience/internship/registered apprenticeship activities are intended for individuals who fit the following categories:

- 1. Have little or no prior experience in the workplace;
- 2. Have experienced difficulty in maintaining employment in the past due to barriers that can best be addressed and overcome through work experience enrollment;
- 3. Have a need to experience the fundamentals of maintaining consistent employment.
- 4. In most cases, have little or no previous experience in new occupation of interest.
- 5. Can be placed at a worksite that will provide occupation specific knowledge and experience in their area of occupational interest.

6. Will not be placed at a single workplace for longer than six months, unless a waiver has been authorized by the Executive Director. At the discretion of WDB regional staff, a youth may be placed in another work experience after completion of their first assignment. There is no limit to the number of work experience assignments per youth, however, a youth will not be placed in more than one work experience at a time.

General Provisions for Development of Work Experience/Internship/Registered Apprenticeship Agreements and/or Contracts:

- A. The intent of a work experience/internship/registered apprenticeship activity is to obtain experience. It is not the intent for a work experience/internship/registered apprenticeship employer to enter into a contract with the knowledge that the client will be hired at the conclusion of training. These types of arrangements would be more appropriate as On-The-Job Training.

Service providers should encourage an employer, when appropriate, to develop the work experience/internship/registered apprenticeship into an OJT and/or a permanent employment position.

- B. Care must be taken when documenting the justification for these activities. Participants' work experience/internship/registered apprenticeship contract or agreements must indicate the following language:
 1. Participants' assessments must establish that work experience/internship/registered apprenticeship is needed to prepare the individual for unsubsidized employment or career training.
 2. Participants' individual service strategy must identify their work experience/internship/registered apprenticeship field of training, outlining goals and objectives with defined timelines and projected completion dates.
- C. Parameters for identifying required elements and development of work experience/internship/registered apprenticeship agreements/contracts are as follows:
 1. Work experience/internships/registered apprenticeship may be paid or unpaid, as appropriate.
 2. Work experience/internships/registered apprenticeship may be in the private for profit sector, the nonprofit sector, or the public sector.
 3. Labor standards apply in any work experience/internship/registered apprenticeship where an employee/employer relationship, as defined by the Fair Labor Standards Act and Child Labor Laws, exists.
 4. Work experience/internship/registered apprenticeship clients cannot be placed in a job that may cause the displacement of a regular employee. Documented

assurances that this will not occur must be part of the work experience/internship/registered apprenticeship contract.

5. Work experience/internships/registered apprenticeships are for a limited time. The WDB has established the maximum period for work experience/internship/registered apprenticeship enrollments not to exceed six months. Extensions to the WDB's time period must be submitted in writing to the WDB and approved by the WDB Executive Director.

General Provisions for Contracting and/or Establishing Agreements with Work Experience/Internship/Registered Apprenticeship Employers:

A worksite agreement, or contract, must be in place prior to the client beginning this activity. The contract must include the following provisions, and a copy of the agreement must be maintained in the client file:

- A. Specific dates of enrollment in the work experience/internship/registered apprenticeship activity (i.e., start date and end date);
- B. A complete job description, including specific skills to be obtained;
- C. A statement of hourly wage to be paid-at \$10.00 per hour
- D. Signatures of service provider, employer, and client.

General Provisions for Work Experience/Internship/Registered Apprenticeship Attendance and Wages

Documentation of hours and wages must be maintained as follows:

- A. Work experience/internships/registered apprenticeships shall never pay less than the State of West Virginia or local minimum wage laws.
- B. The WDB has determined that work experience/internship/registered apprenticeship wages will not exceed the rate of \$10.00 per hour without WDB approval.
- C. Work experience/internships/registered apprenticeships will be limited to 32 hours per week for youth. No allowances are made for holiday, overtime, or sick leave pay.
- D. Service providers are required to complete an IRS form W-4 for the client prior to the commencement of these activities. Federal income taxes must be withheld at an appropriate rate as determined by the client's W-4. A W-2 form shall be issued to work experience/internship/registered apprenticeship clients at the end of each calendar year.
- E. It is the service provider's responsibility and also a WDB requirement to maintain Worker's Compensation insurances for each work experience/internship/registered

apprenticeship client. Service providers shall not be allowed to provide this training for their participants if Worker's Compensation insurance has not been procured.

- F. Documented time spent, wages paid, and goals to be obtained must be part of a WIOA client's file.

Equal Opportunity and Grievances: The Region VII Workforce Development Board prohibits discrimination in all aspects of the administration, management, and operation of Workforce Innovation and Opportunity Act programs and activities. Services offered at the Region VII WorkForce WV Career Centers will be provided universally without regard to race, color, religion, sex, national origin, age, disability, or political affiliation or belief. Individuals may file a complaint or grievance by following the Region VII Workforce Development Board Grievance Procedure Policy, a copy of which will be provided upon request.

Questions: Contact the Region VII Workforce Development Board Executive Director, 151 Robert C. Byrd Industrial Park Road, Suite 2, Moorefield, WV 26836. Telephone number is (304) 530-5258. Fax number is (304) 530-5107.

Expiration: Effective until rescinded, in writing, by the Region VII Workforce Development Board.



T.J. Van Meter, Executive Director



Date



Layne Diehl, Chairperson Region VII WDB



Date