



Southwest Georgia Workforce Development Board

Policy/Procedure Name: Youth Work Experience (WEX)

Policy/Procedure #: WIOA-066

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Revision Date: September 3, 2019

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PURPOSE

The Workforce Innovation and Opportunity Act (WIOA) offers 'internships and work experiences that are linked to careers' as an available individualized career service. WIOA Sec.134(c)(2)(A)(xii)(VII), defines an internship or work experience as a planned, structured learning experience that takes place in a workplace for a limited period of time.

WIOA identifies four categories of work experience in order to determine a qualifying youth work experience program:

1. Summer employment opportunities and other employment opportunities available throughout the school year: paid temporary employment opportunities that provide individuals with work experience relevant to an individual's career path while further contributing to their career or skills development.

Note: Summer employment opportunities that are not relevant to the educational or occupational skills and goals of the individual do not meet the requirements for Youth WEX.

2. Pre-apprenticeship programs: programs that provide individuals with the necessary skills and knowledge to meet entry requirements for a registered apprenticeship program. Individuals participating in these programs are expected to enter and succeed in a registered apprenticeship program upon completion (additional information can be found in TEG 21-16).
3. Internships and job shadowing
 - a. Internships are paid or unpaid and provide individuals with the opportunity to apply classroom learning to a work-based environment with the intention of furthering their learning through professional experience.
 - b. Job Shadowing applies classroom learning to professional experience by participating in a typical workday as a shadow to a competent worker in the field.

4. On-the-job Training (OJT): training by an employer to a paid participant (treated as a regular employee) that involves actively participating in productive work that offers the participant relevant skills and knowledge to fully and adequately perform the duties of the job upon completion of the training program.

The goal of youth work experience should be to expose individuals to opportunities that provide further career exploration or skill development. The work experience must also include an academic and occupational education component, which may occur concurrently or sequentially depending on the qualifying work experience program.

These opportunities are available for both in-school (ISY) and out-of-school (OSY) youth and may be full-time or part-time depending upon the needs of the participant. It may be paid or unpaid, as appropriate and consistent with other laws, such as the Fair Labor Standards Act. An internship or other work experience may be arranged within the private for-profit sector, the non-profit sector, or the public sector. Labor standards apply in any work experience setting where an employee/employer relationship, as defined by the Fair Labor Standards Act, exists.

STATE POLICY

Reference:

Technical College System of Georgia, Office of Workforce Development (OWD) Policy and Procedure Section 3.4.1.5 Work Experience (WEX) and 3.4.2.1.3 Paid and Unpaid Work Experiences (3.4.2-Required Youth Elements)

Workforce Implementation Guidance (WIG) Letter: WIG PS 16-004, Guidance Regarding Youth Work Experience

LOCAL POLICY

Program Requirements

The intention of a work experience is to enable participants to explore career options and gain exposure to the working world and its requirements. A work experience shall be designed to enhance the employability of individuals through the development of good work habits and basic work skills. The work experience must also include an academic and occupational education component, which may occur concurrently or sequentially depending on the qualifying work experience program.

The purpose of a work experience is not to benefit the employer, although the employer may, to a limited extent, benefit from the activities performed by the participant. For example, individuals placed in a work experience are generally considered trainees, and should not take on roles in which the employer depends on the trainee's productivity to maintain or advance the profit margin or performance of the company or agency.

Per WIOA sec. 129(c)(4), LWDA's must utilize a minimum of 20 percent of non-administrative youth funds to provide work experience activities to in-school and out-of-school youth.

A worksite evaluation and a work experience agreement should be completed with each worksite that is utilized and a signed copy of the work experience agreement should be given to all parties to ensure that the expectations are fully understood. The work experience agreement must also include details of the academic and occupational education component portion and how the work experience supports the ISS.

A work experience may be a standalone career service or may be combined with training or other WIOA services. Generally, although all work experiences must meet the following requirements, allowances may be offered for special workforce initiatives and programming as they arise.

- Occur in a workplace for a limited period of time (see maximum allotment below). The exact duration will be set as appropriate for the participant's employment goals, background and skill level as reflected in the Individual Service Strategy (ISS).
Youth may benefit from two work experience activities in one program year as long as it is found, through assessment, that it would assist in meeting their training plan goals. The benefit and need must be justified and documented in the ISS.
- Provide up to 35 hours per week, subject to a maximum duration of 420 hours per work experience activity
- Assist the participant in gaining competencies and experience in order to meet local employer demands
- Be related to a career choice or interest and provide learning through work-based projects
- Include an academic and occupational education component, which may occur concurrently or sequentially depending on the qualifying work experience program
- Pay at an hourly wage at the same rates as similarly situated employees or trainees, subject to the Fair Labor Standards Act
 - At a minimum, must offer a rate of pay that meets the federal minimum wage rate .

Participant Eligibility

To be eligible for Work Experience opportunities, the participant's Individual Service Strategy (ISS) must identify that the participant would benefit from the activity. The State requires that the justification for a Work Experience be outlined in the participant's ISS and maintained in the WorkSource Portal (formerly known as GWROPP).

Employer/Worksite Eligibility

A. In determining an employer's viability for Work Experience agreements, the employer's past history with Work Experience agreements, history or layoffs, relocation and labor disputes, as well as occupational and industry outlook must be considered.

- B. An employer pre-award review must be conducted to verify the requirements of 20 CFR 683.260 and TEGL 19-16 are met as well as the minimum, per state office WIG PS-24-001, Pre-Award Reviews for Work-Based Learning Programs (OJT, IWT, CT, WEX, TJ),
- The employer has been in business in Georgia for at least 12 months;
 - has at least 5 full-time employees;
 - is current on all federal and state taxes; and
 - if applicable, has exhibited a positive history with WIOA-funded training programs.

The local area must use the state office WIOA Training Program Employer Pre-Award Review form.

A work experience may be arranged within the private for-profit sector, the non-profit sector or the public sector. Due to work experiences being planned, structured learning experiences, the entity hosting the work experience, or worksite, must designate an appropriate manager to provide supervision and feedback to the participant at regular intervals during the course of the program. Worksites where employers will be committed to helping participants receive the experience and skills that are required for employment beyond the work experience period and are willing to work closely with program staff are appropriate.

Employers should be flexible in working with participants who have issues that may be barriers to employment. The worksite agreement will ensure that the work experience arrangements do not unfavorably impact current employees and do not impair existing contracts for services or collective bargaining agreements.

Work experiences in the private for-profit sector must be structured so as not to appear to be subsidizing private for-profit operations. The work of the participant should not materially impact the profit margin of a private for-profit company.

Worksite Agreement Requirements

Work Experience opportunities are provided based on a formal, written agreement between the Local Workforce Development Area (LWDA) and/or Contracted Provider and private, non-profit, or public sector employer.

The Work Experience Agreement, is an agreement between the worksite employer and the employer of record, and specifies the occupational and employability competencies the participant will achieve in the work experience, the details of the academic and occupational education component and how the work experience supports the ISS, the relationship and responsibilities of all parties, the evaluation process that will outline the progress of the participant at certain intervals, and other necessary requirements.

LWDA and/or Contracted Providers are required to complete a Work Experience agreement with each worksite that is utilized. Work Experience agreements must be fully executed prior to the beginning of a participant's work experience activity. A signed copy of the Work Experience Agreement should be given to all parties to ensure that the expectations are fully understood.

At a minimum, Work Experience Agreements should include the following elements:

- Names and contact information for all parties;
- The names and titles of all worksite staff that are authorized to sign the timesheet for the Work Experience participant(s);
- Acknowledgement that all applicable child labor laws will be followed;
- The participant's Work Experience start and end date;
- Responsibilities and expectations of the participant, the worksite employer, and the local workforce development area (LWDA) and/or Contracted Provider;
- The job title, pay, duties, and goals for each Work Experience participant. Note: WIOA funds shall not be used for overtime wages, holidays, sick leave, or vacations;
- Details of the academic and occupational education component and how the work experience supports the ISS;
- A statement informing the worksite that they may be subject to worksite monitoring by both state and local representatives, as well as regular visitations by LWDA staff and/or Contracted Provider staff to check on the progress of the work experience participants;
- Other information relevant to the specific Work Experience activity; and
- Signatures and dates of all applicable parties.

Academic and Occupational Education Component

Per 20 CFR 681.600, youth Work Experiences must include an academic and occupational education component, which may occur concurrently or sequentially with the work experience and may occur inside or outside the worksite. The work experience employer can provide the academic and occupational education component, or such components may be provided separately in the classroom or through other means.

The academic and occupational education component could include, but are not limited to, certifications as part of a pre-apprenticeship program, specific knowledge and skill instruction that leads to the successful completion of occupational tasks, academic classroom instruction, and hands-on occupational skills training, among others.

More specifically, the academic and occupational education component refers to contextual learning that accompanies a work experience. It includes the information necessary to understand and work in specific industries and/or occupations. For example, if a youth is in a work experience in a hospital, the occupational education could include learning about the duties of various hospital occupations such as phlebotomist, radiology technician, or physical therapist. Whereas, the academic education could be learning subject matter applicable to individuals in those occupations, such as why a blood type matters, the names of specific bones in the body, or the function of specific ligaments.

Participant Agreement Requirements

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The LWDA and/or Contracted Provider must execute an agreement with the participant to define expectations.

- A. At a minimum, the participant agreement must address the following elements:
 - i. Worksite address, supervisor, and telephone number
 - ii. Start and end date
 - iii. Responsibilities and expectations of the participant, the worksite employer, and the LWDA and/or Contracted Provider
 - iv. Job title, pay, duties, and goals
 - v. Participant signature and date. If the participant is under 18, the agreement must contain the signature of the participant's legal guardian.
- B. The scheduled number of hours per week may be modified by the worksite after work begins pending the written approval of the participant and the LWDA and/or Contracted Provider.

WEX Orientation

The LWDA and/or Contracted Provider staff will schedule a meeting with the participant prior to the work experience activity start date to review the rules, requirements and expectations of the program including assigned worksite name, address, supervisor, worksite telephone number, job title/duties and goals, scheduled first day of work, projected scheduled activity end date, scheduled number of hours each week and responsibilities and expectations of the participant, the worksite employer, and the LWDA and/or Contracted Provider. After the information is reviewed with the participant, the participant will be asked to sign the participant agreement to verify and document his/her awareness of the worksite and activity details provided.

Supportive Services

Although work experiences are individualized career services, participants are eligible for Supportive Services as if they were enrolled in training, subject to funding availability (Ref: Policy #25 – Supportive Services)

Unpaid Work Experience

An unpaid work experience is an activity exposing participants to the working environment, and an individual does not expect payment for tasks performed. The use of an unpaid work experience should be limited and typically are offered in combination with other services such as an Individual Training Account (ITA). An unpaid work experience may include job shadowing. Job shadowing is a short-term activity which introduces a participant to the workplace and provides exposure to occupational areas of interest. A participant experiences the work environment to increase career awareness, observe models of behavior on the job through examples, and receives help in making career decisions. Job shadowing can reinforce the link between classroom learning and work requirements. Job shadowing is limited and allows participants to observe only.

REFERENCES

Workforce Innovation and Opportunity Act (WIOA), Public Law 113-128, enacted July 22, 2014
Workforce Innovation and Opportunity Act Regulations, 20 CFR Parts 678, 680, 683
WIOA Section 134(c)
Technical College System of Georgia, Office of Workforce Development (OWD) Policy and Procedure Section 3.4.1.5 Work Experience (WEX)
Workforce Implementation Guidance (WIG) Letter: WIG PS 16-004, Guidance Regarding Youth Work Experience
USDOL TEGL 21-16, Third Workforce Innovation and Opportunity Act (WIOA) Title I Youth Formula Program Guidance
Child Labor – Georgia Laws and Rules Regulating Employment of Children
<https://dol.georgia.gov>
OWD Workforce Implementation Guidance (WIG) Letter: WIG PS-24-001, Pre-Award Reviews for Work-Based Learning Programs (OJT, IWT, CT, WEX, TJ)

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