



LOS ANGELES COUNTY

WIOA YOUTH PROGRAMS

DIRECTIVE

NUMBER: WIOA YD16-01

SUBJECT: Work Experience Policies and
Procedures

DATE: November 7, 2016

EFFECTIVE DATE: Upon Release

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TO: WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA) YOUTH SERVICE PROVIDERS

PURPOSE

The purpose of this directive is to provide guidance regarding Work Experience (WEX) activities, policies and procedures.

BACKGROUND

The Workforce Innovation and Opportunities Act (WIOA) of 2014 specifies that there are 14 services that need to be available to youth. One (1) of these services is paid and/or unpaid work experience that has academic ***and*** occupational education as a component of the work experience. 20 CFR Parts, Section 681.460 indicates that work experience may include the following:

- a) Summer employment opportunities and other employment opportunities available throughout the school year;
- b) Pre-apprenticeship programs;
- c) Internships and job shadowing; and
- d) On-the-job training opportunities

Work experience is a critical component of preparing youth for transition to adulthood. Potential benefits for youth who participate in work experience include:

- 1) Gaining career readiness skills including the "soft skills" that employers look for in entry level workers;
- 2) Increasing one's knowledge of specific occupational skills and workplace settings;
- 3) Establishing a work history and connections with employers that can aid in future job searches; and
- 4) Developing an understanding of different occupations in order to make informed career choices.

POLICY

The Los Angeles County Workforce Development Board (WDB) approved the following WEX policy on December 9, 2015. Youth shall have access to a variety of paid and unpaid work experience opportunities that include, but are not limited to: public, private, non-profit, for profit, and small employers, in high growth, in-demand industry sectors and occupations as determined by the County. The duration of the work experience shall be an average of 180 hours or 9 months within a funding year. If a participant requires additional time, service providers shall contact Community and Senior Services (CSS) via email for approval.

The range of hours shall be determined by the availability of the youth and the worksite, but if the participant is attending school, the WEX may not exceed 20 hours per week when school is in session. WEX participants are not authorized to work overtime.

WEX activities shall include an academic *and* occupational education component. The WEX activity must provide a planned and structured learning experience that will contribute to the achievement of the participant's employment goals through a measurable training component. Work experience agreements must be signed by all parties prior to the start of the work experience as well as securing work permits for youth under the age of 18 and completing other labor related documentation (e.g., Form I-9, W-4 Forms).

Employer of Record

WIOA Youth service providers serve as the Employer of Record. As such, participants in a WEX activity shall be on-boarded following the established service provider's personnel policies, procedures and protocols. Therefore, service providers are responsible for background checks if required by the service provider or worksite. The cost of a background may be reimbursed to the service provider and paid through supportive services. As the employer of record, service providers shall also orient the youth on important protocols including but not limited to: payroll practices, safety standards, scheduling, sexual harassment, reporting to work, and paid sick leave.

Compensation

Participants enrolled in a paid WEX shall be compensated at an hourly wage not less than the current State minimum wage, or, if applicable, the minimum wage established by the local jurisdiction governing the work location. Currently the wage is paid at \$10.50 an hour. CSS shall inform service providers when the wage amount will change. Youth Wages shall include: social security, Medicare and worker's compensation. Participants shall be paid only for the hours worked during the WEX as documented on the participant's WEX time sheet. WEX participants shall not be paid for:

- Vacation breaks;
- Lunch breaks; or
- A holiday recognized by the service provider as a "paid holiday"

Healthy Workplaces, Healthy Families Act of 2014 and Paid Sick Leave

Healthy Workplaces, Healthy Families Act (HWHFA) of 2014 was signed by Governor Brown in September 2014. The HWHFA requires employers to provide paid sick leave to specified

California employees beginning July 1, 2015. Under this legislation, an employee working in California on or after July 1, 2015, for the same employer for 30 or more days within a year, is entitled to pay sick leave. The paid sick leave accrues at the rate of one hour for every 30 hours worked and is payable at the employee's current rate of pay. Employees are entitled to begin using any sick leave they have accrued on the 90th day of employment. Service providers shall develop and maintain internal protocols to gauge if/when a participant may be eligible for paid sick leave in accordance to the HWHFA.

Program Monitoring

Service providers may be monitored by Federal, State and local fiscal and program monitors. Service providers are subject to the monitoring of participants' payroll records, supportive service issuances and any other service funded through WIOA. Therefore, service providers shall maintain records and accounts in such a way as to facilitate the audit. Records must be maintained for three (3) years after the conclusion of the WEX.

PROCEDURES

Youth Eligibility, Preparation and Documentation

All WEX participants must meet program eligibility requirements and have received an Objective Assessment (OAS) resulting in the development of an Individual Service Strategy (ISS) prior to the commencement of the WEX. The ISS shall document the participant's need for and benefit from a WEX activity, interests, possible barriers, and any supportive services needs as appropriate. Participants who have been authorized for training through an Individual Training Account (ITA), cohort training or other WIOA funded training are also eligible for WEX. Funding for training and a WEX are separate.

Supportive Services Assessment

Youth shall have access to supportive services to assist in the completion of an approved work experience and, as appropriate, during the follow-up period. Services providers may also utilize appropriate incentives to encourage or reward the completion of milestones and or program goals. Supportive services provide program participants with support to enable completion of an approved WIOA activity (e.g., tools, transportation, uniforms). Incentives serve as rewards for completing an activity that leads to a performance outcome (e.g., \$50 for acquiring a certificate in an approved WIOA training). Service providers are responsible for having established supportive service policies in accordance with Directive LACOD-WIAD08-10: Supportive Services.

Worksite Matching and WEX Assignment

Youth shall be matched to appropriate worksites based on the worksites' requirements in terms of: experience, skills, personality, location and available schedule. Youth may be placed at any worksite if the youth possesses the requested skills that are needed or conversely, to provide the youth with the opportunity to develop a particular skill set. Youth may begin the work experience assignment once the worksite meets all safety criteria.

Note: Current Los Angeles County Youth Jobs (LACYJ) Service Providers may utilize existing Worksite agreements for WIOA WEX purposes.

Worksite Expectations Review Form

The Worksite Expectations Review (WER) form ensures clear communication so that youth, service providers, and worksite supervisors are clear on the location, hours, work expectations, and duties that youth will engage in. Service providers shall prepare and discuss the Worksite Expectations Review (Attachment A) form first with the worksite supervisor and after the Worksite Agreement (Attachment C) has been executed. Service providers shall ensure the youth reviews and signs the WER prior to the WEX start date. Youth under the age of 18 are required to have their parent(s)/guardian's signature. It is imperative that case managers review with the youth his/her job duties to ensure the youth understands his/her role and responsibilities.

Work Permit

A work permit is required for all applicants who are under 18 years of age. The work permit must be authorized by the youth's school prior to the youth beginning WEX. The work permit must be authorized through the last day of the WEX, but no later than June 30, 2017. All WEX hours shall be completed by this date. The service provider shall provide a copy of the work permit to the worksite.

Participant File Documentation and CalJOBS

Service providers shall ensure the following documents are retained in the participant file as appropriate:

- Valid Work Permit for youth under the age of 18;
- Original WER form signed by the worksite supervisor, the youth and parent/guardian;
- Copies of the Performance Evaluation (PE) and Final Performance Evaluation (FPE).

Service providers shall ensure the appropriate codes are utilized in CalJOBS when entering or updating WIOA activities and that case notes are also updated:

- Conduct an Objective Assessment (Code 412) identifying a WEX as an appropriate service;
- Develop an ISS (Code 413) identifying the specific strategies for the youth that are directly related to one (1) or more performance indicators and are supported by the OAS;
- Utilize any of the following codes that best reflect the youth activity:
 - Youth Summer Employment (Code 400)
 - Internship- Unpaid (Code 408)
 - Youth Job Shadowing (Code 409)
 - Work Experience- Paid (Code 425)
 - Work Experience-Unpaid (Code 426)
 - Internship-Paid (Code 427)
 - Youth On-the-Job-Training (Code 428)

Separate guidance will be issued for other WIOA funded work experiences such as, internships, On-the-Job Training and Pre-apprentice opportunities.

Worksite Eligibility, Preparation and Documentation

Identifying Worksites

Service providers shall make every effort to identify worksites that provide meaningful work experience that introduces youth to viable career paths in high-growth, in-demand industries in the Private, Non-Profit and For-Profit, and Public sectors. Service providers shall ensure that all worksites are aware of and meet County adopted health and safety standards, California Child Labor Laws, and Department of Labor requirements. Under no circumstances shall a youth be referred to a worksite that does not honor these standards. To assist in this process, service providers shall utilize the Worksite Checklist (Attachment B) to substantiate that the worksite meets established standards. Should a potential worksite fail to meet the standards noted above, then a Worksite Agreement (Attachment C) shall not be executed until all the requirements of the Worksite Checklist are satisfied.

Worksite Evacuation Plan

Service providers shall ensure worksites have a valid evacuation plan in case of emergency. Should a worksite not have an evacuation plan, or a visible evacuation plan, the service provider shall assist in the preparation of one. Service providers will inform the worksite of this service during the Worksite Checklist review.

Worksite Agreement

The Worksite Agreement (Attachment C) is a non-financial contract that clearly defines the roles and responsibilities of each party. An executed Worksite Agreement indicates that both parties are clear to each other's roles and responsibilities for the duration of the WEX activity. The Worksite Agreement is valid for one (1) fiscal year unless otherwise specified by the County. Furthermore, an executed Worksite Agreement indicates that the worksite has satisfied all health and safety requirements as required on the Worksite Checklist. The Worksite Checklist will expire concurrently with the end date identified on the Worksite Agreement form.

Each worksite requires its own unique worksite agreement. Service providers may negotiate a Master Agreement to cover multiple work locations. Service providers wishing to exercise this option, must notify the County and provide the County with the original. Under no circumstances shall a youth be referred to a worksite that does not have an executed worksite agreement. Service providers shall maintain a master file with all original Worksite Agreements and Worksite Checklist Review forms separate from the youth individual case file.

Worksite Supervisor's Manual and Supervisor Orientation

The Worksite Supervisor's Manual (Attachment D) contains a detailed account of the roles and responsibilities of both the service provider and worksite. It is the service provider's responsibility for the implementation and integrity of the provisions contained therein.

Service providers shall conduct at least one (1) Supervisor Orientation for each worksite to ensure worksite supervisors understand their roles and responsibilities and all related WIOA protocols. The supervisor orientation shall contain all the provisions as specified in the

Supervisor's Manual. Service providers shall ensure this important element is not overlooked. County will provide materials to facilitate this process.

Performance Evaluations

To provide youth with consistent feedback regarding his/her strengths and weaknesses during a WEX, service providers shall ensure youth receive a monthly Performance Evaluation (PE) and a Final Performance Evaluation (FPE) (Attachment E).

Monthly Performance Evaluation

Once a youth begins the WEX assignment he/she shall receive a monthly performance evaluation (PE). The PE shall be completed by the Worksite Supervisor. The Case Manager shall review and discuss the PE with the youth acknowledging his/her strengths and weaknesses as identified by the Worksite Supervisor. Additionally, the Case Manager shall evaluate with the youth if any changes are needed in the ISS including the need of supportive services or other resources as required to engage in program activities.

Final Performance Evaluation

The Final Performance Evaluation (FPE) serves as the final indicator of the level of work readiness achieved by the youth. Service providers shall ensure that each youth receives an FPE from the Worksite Supervisor. The Case Manager shall review and discuss the FPE with the youth acknowledging his/her strengths and weaknesses as identified by the Worksite Supervisor. The FPE review shall occur when the youth receives his/her final paycheck.

Worksite Monitoring

The County of Los Angeles requires that Worksites be monitored during the program year. Service providers shall visit the worksite at least once per month to review that program activities are met and resolve questions and concerns of both youth and Worksite Supervisors. In addition, worksites may be visited by staff of the County of Los Angeles, the State of California or the U.S. Department of Labor.

Worksite monitoring will generally consist of observation of operations, review of program related documentation, such as work permits, safety and health preparedness, time cards, and compliance with the Worksite Agreement. In addition, monitors may interview the Worksite Supervisor and youth.

ACTIONS

Los Angeles County service providers operating WIOA Youth programs shall ensure that the requirements described herein are communicated throughout the operations, management and governance structures of the service provider's organization and that this Directive is appropriately maintained until further notice.

REFERENCES

- Workforce Investment and Opportunities Act of 2014 –
- 20 CFR Parts 676, 677, and 678, Sections 681 & 683

- Title 20 Code of Federal Regulations (CFR) Part,200
- Healthy Worksites, Healthy Families Act of 2014
- EDD Directive 16-01 WIOA Youth Program Requirements, July 6, 2016
- Workforce Development Board Policy 12/9/15
- Los Angeles County Directive: Supportive Services [LACOD-WIAD08-10](#)

INQUIRIES

Questions regarding this directive and the policies and procedures described herein should be directed to wioaops@css.lacounty.gov



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Attachments:

- A: Worksite Expectation Review Form**
- B: Worksite Checklist**
- C: Worksite Agreement**
- D: Supervisor's Manual**
- E: Performance Evaluation Form**

