CDO WORKFORCE INVESTMENT BOARD

POLICY # 10-01: Work Experience as a Work-Related/Job Readiness Training Service

DATE: September 15, 2010

APPLIES TO: WIA Title I – Adult Program, Special Participant Population

History
In the Code of Federal Regulations (CFR) Part 663, Subpart B, specifies that work experiences for adults are allowable services under the Workforce Investment Act of 1998 (WIA). The WIA also provides in section 134 (d) (4) (D) a list of services that are considered training services under the Act, to include job readiness training. The New York State Department of Labor (NYSDOL) defines job readiness training in its Technical Advisory (TA # 06-16.2, Attachment A-4) to be “training to increase employability, such as … positive work habits, attitudes and behaviors … [and] obtaining effective coping and problem-solving skills…. ” This training is designed to prepare an individual to obtain and retain a job.” Further, the federal regulations define work experiences as “planned, structured learning experiences that take place in a workplace for a limited period of time.” (20CFR 664.460) Section 134 of the WIA also specifies the criterion that, if met, exempts a training service from requiring an Individual Training Account. This criterion includes language that specifies that the training service must serve special participant populations that face multiple barriers to employment defined as a population of “low-income individuals that is included in one or more of the following categories: I) [i]ndividual with substantial language or cultural barriers, II) [o]ffenders, III) [h]omeless individuals, IV) [o]ther hard-to-serve populations as defined by the Governor…. ” As such, it is understood that a paid work experience for special populations is an allowable intensive/training activity within the One-Stop System.

Purpose
The purpose of this policy is to communicate local policy regarding paid work experience services for special populations of the Adult Program under Title I of the Workforce Investment Act of 1998 (WIA).

Provision
WIA-enrolled Adults who are determined to be members of the “special participant population” (see Customer Eligibility below) may need assistance in becoming accustomed to and proficient in basic work skills in order to successfully achieve their employment goals. By participating in employer-based job readiness training, these customers will take an active role in their career development service plans.

A. Work Experience (Work Related/Job Readiness Training)
The work experience is a short-term or part-time planned and structured service that takes place in a public, private for-profit or non-profit workplace for a limited, defined period of time. The work experience service is intended to provide training and skill development in the skills necessary to successfully obtain and retain employment, including punctuality, attendance, communication, teamwork, dependability and task
The work experience completion and is not intended to provide training in technical or occupation-specific skills. The work experience is not for the purposes of career exploration.

The work experience may be combined with classroom instruction relating to the work experience position, occupation or industry. The work experience is an intermediate employment step toward the long-term goal of moving along a career path.

**Customer Eligibility**
A paid work experience may be provided when determined appropriate through assessment and the Individual Employment Plan development process as a service necessary to assist the eligible enrolled WIA Adult in preparing for participation in another appropriate training service or activity or to successfully obtain and retain unsubsidized employment. Eligible Adults will meet the following conditions:

- Is an individual determined by WIA definition to be of low-income, AND
- Is an individual with substantial language or cultural barriers;
- Is an individual who can be classified as an offender;
- Is a homeless individual;
- Is an individual with no work history; OR
- Is an individual with no work history in the last 5 years.

**B. Funding Work Experiences**
A paid work experience may be provided concurrently with other appropriate core, intensive or training activities and will not exceed 250 hours. Participants of work experiences will be paid by the WIA grant recipient, as the employer of record, on no more than a bi-weekly basis and will be required to complete all necessary payroll forms prior to the start date of the work experience. Payment will be based on a per hour rate that is equivalent to the current New York State minimum wage rate. In order to issue payment, participants will be required to complete and submit timesheets that accurately document the number of participation hours per pay cycle. Participants will also be provided with Federal Insurance Contributions Act (FICA) and Worker’s Compensation coverage while participating in the service.

Approval for funding a work experience will follow the same process established for approving other forms of training services: initial approval must be granted by the Center Manager during a customer conference session, secondary approval and determination of appropriate funds must be granted by the CDO Workforce Investment Board’s Program Services Manager, Fiscal Manager and/or Executive Director.

Should a customer need additional work experience hours beyond the 250 hour limit, the One-Stop Career Center staff person will document the need in the One Stop Operating System (OSOS) and the Center Manager will submit a policy waiver request to the Workforce Investment Board’s Program Services Manager or Executive Director for approval.

**C. Worksite Agreement**
As a training service, a paid work experience requires a hard-copy customer file. Rather than an Individual Training Account (ITA) contract being developed, a Worksite
Agreement will be developed to establish the parameters wherein a customer will gain the job-readiness skills necessary to obtain unsubsidized employment. The Agreement is a written document that details terms and conditions of the paid work experience and the expectations of the parties to the Agreement. The written agreement is between the participant, the site employer or host site and the CDO Workforce. 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.

The Worksite Agreement will include, at a minimum: the duration, tasks, duties, supervision, health and safety standards and other conditions of work experience such as consequences of not adhering to the Agreement and termination clause.

**Health and Safety Standards**

The Worksite Agreement will include an assurance that the health and safety standards established under Federal and State law will be followed. Health and safety standards otherwise applicable to working conditions of employees are equally applicable to working conditions of participants in programs and activities under Title I of WIA.

**D. Other Required Documentation**

Along with the Worksite Agreement, the following documents must be maintained in the customer’s/participant’s hardcopy case file:

- Objective assessment results;
- A completed Individual Employment Plan, indicating a need for work experience; and
- Timesheets and performance records, as appropriate.

**E. Progress Evaluation**

The Worksite Supervisor will also complete two (2) evaluations which assess several critical work readiness topics, on a Performance Evaluation form provided. Once the Supervisor completes the Mid-Point Evaluation, a meeting will be scheduled with the customer (or Trainee) to go over the results. The Worksite Supervisor may participate in this conference and needs only to advise the appropriate CDO Workforce Center staff of the want to do so. The Supervisor will complete the Post Evaluation right after the training ends.

The Performance Evaluation form asks the Supervisor to assess the following work readiness topics:

- Demonstrate willingness to work;
- Demonstrate integrity;
- Demonstrate satisfactory oral and written communication skills;
- Demonstrate promptness;
- Avoid absenteeism;
- Avoid use of language or comments that degrade, insult or demean others;
- Maintain appropriate written information;
- Maintain appropriate grooming and hygiene;
- Are respectful of the opinions and contributions of others;
• Take responsibility for completing one’s own work accurately;
• Demonstrate the willingness and ability to learn;
• Have and apply computer skills;
• Demonstrate customer service skills;
• Work well with others as part of a team;
• Use and apply basic math.

F. Appropriate Employers
Worksites where employers that are committed to helping customers receive the experience and training that is 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 customers who have issues that may be barriers to employment. A work experience 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 customer (or Trainee) should not materially impact the profit margin of a private for-profit company.

G. Monitoring
Federal Regulations require that all worksites be monitored during the program. The monitoring process is designed to ensure compliance with the Worksite Agreement and the training objectives. The Supervisor shall make all Worksite records and personnel staff and information pertaining to the worksite operation available for monitoring by Federal, State and CDO Workforce Investment Board monitors and cooperate fully as shall be necessary. Every attempt will be made to schedule these visits at a mutually convenient time.

In addition to the worksite monitoring, program staff will also contact the Worksite Supervisor on a weekly basis, at a mutually convenient time, to discuss the customer’s (or Trainee’s) progress and discuss any issues with work readiness skills in order to develop a plan for remediation of skills, if necessary.