

Local Policy 2025-13, Local Workforce Development Area 2 (LWDA2) Youth Work Experience

Purpose: This policy is to provide guidance regarding the requirements of the provision of work experience opportunities under the Workforce Innovation and Opportunity Act (WIOA).

References:

- DWD Policy 2017-10, Change 1 (*All references within this policy are included by default*)

Content:

WIOA renewed the work experience program element provided under the Workforce Investment Act (WIA). Work experience is one of the fourteen (14) required program elements that must be made available to all youth participants and should be offered throughout the program year. However, under the Workforce Innovation and Opportunity Act (WIOA), the work experience program element was given additional emphasis, with an added stipulation of a minimum 20% expenditure rate of LWDA2's allocated amount of overall youth funding for all youth participants. The regulations cite work experience as a critical element that correlates to increased high school graduation rates and success in the labor market.

Equity and Quality Youth Work Experiences

Equity is “the consistent and systemic, fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment.” Equity in the WIOA Youth program means that program participants have equitable access to services and support while achieving equitable outcomes.

The integration of equity and job quality principles into the WIOA Youth program is achieved by ensuring youth have access to quality work experience (in particular paid work experience whenever possible) that have on-ramps to career pathways.

In addition to ensuring youth have access to paid quality work experience opportunities, NIWB finds it critical that such work experiences be in industries and occupations that put youth on a career pathway to high quality jobs. Creating targeted job opportunities with deliberate focus on equity, exposing youth to careers, and connecting them to social networks in fields where they are underrepresented will help youth enter career pathways that will lead to family-sustaining wages.

The Northern Indiana Workforce Board (NIWB) mandates that the Youth program prioritizes equitable outcomes and provides high-quality work experience opportunities.

Work Experience Categories and Characteristics

NIWB requires that work experiences are designed to provide career exploration opportunities and help youth understand in-demand employability skills, while meeting employer expectations that are necessary to attain and retain employment in today's job market. WIOA includes the following four categories of youth work experiences.

- **Summer employment opportunities and other employment opportunities available throughout the school year.** This category is a short-term employment opportunity or work experience, either full or part-time, that is conducted mainly during the summer months or for a similar timeframe during other months of the year. These opportunities could arise as necessary for the youth or could be part of a larger scale summer employment program. Despite these opportunities taking place during the school year, this work experience category is available to both in-school and out-of-school youth.
- **Pre-apprenticeship programs.** A pre-apprenticeship program is designed to prepare individuals to enter and succeed in an apprenticeship program registered under the National Apprenticeship Act and includes the following elements:
 - Training and curriculum that aligns with the skill needs of employers in the economy of LWDA2.
 - Access to educational and career counseling and other supportive services, directly or indirectly;
 - Hands-on meaningful learning activities that are connected to education and training activities, such as exploring career options, and understanding how the skills acquired through coursework can be applied toward a future career;
 - Opportunities to attain at least one industry-recognized credential; and
 - A partnership with one or more registered apprenticeship programs that assist in placing individuals who complete the pre-apprenticeship program into a registered apprenticeship program.

Expenditures for pre-apprenticeships count toward the work experience expenditure requirement. In addition, if the pre-apprenticeship program includes an occupational skills training component separate from the work experience, the WIOA Youth program may report pre-apprenticeship under both the work experience program element and the occupational skills training program element.

- **Internships and job shadowing opportunities.** An internship is a form of learning that integrates classroom knowledge with practical application and skills development in a professional setting. Internships should be viewed as an extension of the participant's educational experience and, where possible, should align with their career interests and pathways. Internships can be paid or unpaid but should align with the Fair Labor Standards Act.

Job-shadowing is a work experience option where youth learn about a job by walking through the workday as a shadow to a competent worker. The job shadowing work experience is a temporary, unpaid exposure to the workplace in an occupational area of interest to the participant. Youth will witness firsthand:

- The work environment;
- Employability and occupational skills in practice;
- The value of professional training; and
- Potential career options.

A job-shadowing experience can be anywhere from a few hours to a day, to a week or more. Job-shadowing is designed to increase career awareness, help model youth behavior through examples, and reinforce the link between academic classroom learning and occupational work requirements for the youth and young adult population.

Job shadowing provides an opportunity for youth to conduct short interviews with people in their prospective professions to learn more about those fields and can be thought of as an expanded informational interview. By experiencing a workplace first-hand, youth can learn a great deal more about a career than through research in print publications and on the internet.

- **On-the-job training (OJT) opportunities.** An OJT is provided by an employer to a paid participant who is engaged in productive work in a job that:
 - Provides knowledge or skills essential to the full and adequate performance of the job;
 - Provides reimbursement to the employer of 50% (or up to 75% under certain conditions) of the wage rate of the participant for the extraordinary costs of providing the training and additional supervision related to the training; and
 - Is limited in duration as appropriate to the occupation for which the participant is being trained, considering the content of the training, the prior work experience of the participant, and the service strategy of the participant, as appropriate.

Work experiences should help youth acquire the personal attributes, knowledge, and skills needed to obtain a job and advance in employment. Work experiences can serve as a steppingstone to unsubsidized employment and are an important step in the process of developing a career pathway for youth. All work experiences should expose youth to realistic working conditions and tasks as much as possible.

Virtual work experiences are allowable under the WIOA youth program. Virtual work experiences can offer more flexibility and broaden work experience opportunities, particularly in rural areas. They can also promote equity and access for youth that might not otherwise have the opportunity to participate in certain types of work experiences. Therefore, the Northern Indiana Workforce Board (NIWB) permits the Youth program to continue to provide virtual work experiences beyond the Covid-19 pandemic. And while WIOA section 681.600 states that work experiences must take place in a workplace, this includes a virtual workplace when remote work experiences are possible and practical.

All work experience must include some form of academic or occupational learning as a component of the program element, which should be documented through services and case notes through the approved case management system. The academic or occupational learning may occur during or after the work experience, but it must occur within a reasonable timeframe for relevancy in the work experience placement. This may include certifications earned in a pre-apprenticeship/apprenticeship program, employer expectations that would make a participant successful on the job, or specific skills or knowledge needed to perform the daily duties and tasks of a specific career.

Youth work experiences are planned, structured learning experiences that take place for a limited period of time. A work experience can be paid or unpaid and may take place in the private for-profit sector, the non-profit sector, or the public sector. Labor standards apply in any work experience where an employer/employee relationship, as defined by the Fair Labor Standards Act or applicable state law, exists. Work experiences must be based on identified needs of the individual youth. Use the work experience program element must be based on an objective assessment of a participant's academic levels, skill levels, service needs, and be identified in the youth's jointly developed Individual Service Strategy (ISS)/Individual Employment Plan (IEP).

NOTE: OJT is not considered » training « for WIOA Youth. It is a work experience;

Expenditures

WIOA's requirement of a minimum of 20% of LWDA2's allocated amount of overall youth funding related to work experience program activities allows NIWB to provide work experience activities and services for both in-school and out-of-school youth. In order to ensure that this requirement is met, NIWB mandates the monitoring of WIOA youth programs to ensure proper oversight of expenditures related to both paid and unpaid work experiences. This includes tracking wages as well as staff costs associated with the development and management of these experiences. All such expenditures must be accurately recorded and reported as part of WIOA youth financial reporting requirements.

The percentage of funds spent on work experience is calculated based on the total youth funds expended for work experience rather than calculated separately for in-school and out-of-school youth. Administrative costs are not subject to the 20% minimum work experience expenditure requirement. For example, If the awarded amount received was \$1 million in WIOA youth funds and \$100,000 (10 percent) was spent on administrative costs, the minimum work experience expenditure requirement would be based on the remaining \$900,000. In this case the minimum (20%) of funds that would need to be distributed for work experience would be \$180,000.

Program expenditures on the work experience program element may include the following:

- a) Wages/stipends paid for participation in a work experience;
- b) Staff time working to identify and develop a work experience opportunity, including staff time spent working with employers to identify and develop the work experience;
- c) Staff time working with employers to ensure a successful work experience, including staff time spent managing the work experience;
- d) Staff time spent evaluating the work experience;
- e) Participant work experience orientation sessions;
- f) Employer work experience orientation sessions;
- g) Classroom training or the required academic education component directly related to the work experience;
- h) Incentive payments directly tied to the completion of a paid or unpaid work experience;
- i) Employability skills/job readiness training to prepare youth for a work experience;
- j) Supportive services that enable WIOA Youth participants to participate in work experience;
- k) Expenditures for pre-apprenticeships and Registered Apprenticeship programs.

Some academic services may be covered under other WIOA elements and would not be counted toward the work experience expenditure requirement. However, as in "g" above, some classroom training may be counted in the work experience requirement. If the work experience requires the youth participant to handle cash and the youth struggles with basic financial math, the youth could benefit from remedial math for a short timeframe that may assist in performing the required job duties. The same would be true for a youth who is required to type documents or professional emails and could benefit from remedial English courses that would provide some academic learning but will also benefit them in their occupational pathway.

Payments

Although the Youth programs should prioritize quality employer paid work experiences, some work experiences could be unpaid. Alternative payment strategies include the following:

- Provision of an incentive for completion of a goal or expected outcome based on the ISS/IEP.
- Offer stipends, which would be a fixed, regular payment similar to an allowance.
 - o Ensure that any stipend be in alignment with the entry level wage for the occupation or career.

Many participants are “hired on” as employees of the youth provider during their short-term work experience. As the employer of record, the youth provider would be subject to the Fair Labor Standards Act, Child Labor laws, Health and Safety standards and other applicable laws regarding wages, benefits, worker’s compensation, and insurance.

Employers/Worksites

Appropriate and committed worksite locations for work experience are at the discretion of the youth provider. However, the youth provider should seek employers who understand the barriers and needs of the youth participants and are willing to be flexible with their needs. Additionally, employers should work closely with program staff for monitoring the learning goals and outcomes of the participants, as well as assisting them in addressing challenges that may arise during the work experience.

Funds provided to employers for work-based training may not be used to aid in the filling of a job opening, directly or indirectly, which is vacant because the former occupant is on strike or is being locked out during a labor dispute, or the filling of which is otherwise an issue in a labor dispute involving a work stoppage. Funds may not be used to assist, promote, or deter union organizing.

Further, a participant may not be employed if:

- Any other individual is on layoff from the same or any substantially equivalent job;
- The employer has terminated the employment of any regular employee or otherwise reduced the workforce of the employer with the intention of filling the vacancy so created with the participant;
- The job is created in a promotional line that will infringe in any way upon the promotional opportunities of currently employed individuals (as of the date of the participation); or
- The activity will impair an existing contract for services or collective bargaining agreement, and no such activity that would be inconsistent with the terms of a collective bargaining agreement.

Worksite Agreement

NIWB requires that the youth provider has a written agreement to ensure compliance with WIOA and all applicable federal and state regulations. The agreement is a written document that details terms and conditions of a paid or unpaid 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 youth provider or employer of record.

The written agreement, which may be called a worksite agreement, job site agreement, or host site agreement, must include at a minimum:

- Duration;
- Remuneration;
- Tasks and duties;
- Supervision;
- Health and safety standards; and
- Other conditions of work experience such as consequences of not adhering to the agreement and a termination clause.

The worksite or host site entity, the participant, and the youth provider should all be given a copy of the agreement. The agreement must be available to NIWB for audit and monitoring purposes.

For questions, contact:

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