

CareerSource Heartland		
SECTION: WIOA	PROCEDURE # D11	PAGE 1 of 9
TITLE: Work Experience	EFFECTIVE DATE	5/12/2022
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PURPOSE To provide a consistent and well-documented format for the approval and implementation of paid Work Experience opportunities for WIOA-eligible Youth in accordance with CareerSource Florida (CSF) policies and Workforce Innovation and Opportunity Act (WIOA) guidelines.

BACKGROUND

Work Experience, a type of work-based learning activity, is a planned, structured learning experience that takes place in a workplace for a limited time period. It is intended to provide eligible WIOA participants an opportunity to gain employability skills necessary to successfully obtain and retain employment. This includes punctuality, attendance, initiative, work quality, and ability to follow instructions; as well as industry-related work experience and additional job-specific or technical skill development.

PROCEDURE

CareerSource Heartland's (CSH's) Business Operations Team develops work experience sites and worksite contracts based on open job orders that have been proven difficult to fill due to required skill levels or degree of experience needed. Sites are developed cooperatively between CSH and the worksite employer. Sites may be developed based on the needs of an identified job seeker, or on the needs of an identified business. The intent is to offer work experience opportunities to individuals who, given some basic experience on the job, will demonstrate the ability to successfully fill the open position.

Work Experience opportunities may be developed for employers in the private for-profit sector, the non-profit sector, or the public sector, located throughout the CSH workforce development area of Desoto, Hardee, Highlands, and Okeechobee counties.

Participants will be paid the higher of the federal, state, or local minimum wage, or the prevailing rates of pay for other individuals in similar occupations by the same employer without exceeding the most current state wage cap. The wage cap is set at the average hourly wage rate for the State of Florida as determined by the Bureau of Labor Statistics.

The participant will be considered an employee of a third-party employer of record, a staffing agency designated by CSH. The designated staffing agency will administer payroll and benefits related payments. Payroll information will be forwarded to CSH for record-retention purposes and to ensure payments are in accordance with the Work Experience contract. Work Experience program participants are covered by the State of Florida Worker's Compensation benefits.

Eligibility

Individuals may be considered for Work Experience when they meet the eligibility requirements for the WIOA Youth Program, and have been determined to need work experience due to:

- no employment experience,
- a need for exposure to new industries/occupations,
- being unemployed,
- being an underemployed worker, and
- being a long-term unemployed worker.

Male participants over the age of 18 must register for Selective Service.

Program eligibility will be determined through completion of the customer intake, assessment of eligibility and gathering needed support documentation to establish program eligibility. Suitability is established when a Work Experience opportunity aligns with a customer's interests, existing skill set or educational background, and the participant is deemed to have the core competencies to be successful in the position and likely to complete the learning activity based on current needs and barriers. Employers will have the final selection authority for individuals to participate in learning activities in their business.

Once a participant has been determined eligible an assessment interview and career planning will be conducted. Prior to receiving services, an Individual Employment Plan (IEP) will be developed. The IEP is an ongoing, negotiated agreement created jointly by the participant and WIOA Career Specialist detailing what the participant will do to obtain or return to employment and what the program will do to support the participant's efforts. The details of the Work Experience will be incorporated into the IEP and will include the details regarding the Work Experience assignment, including:

- A determination that Work Experience is the most appropriate work-based learning activity based on the participant's needs and skill set;
- Specific short- and long-term goals for the Work Experience, including the purpose of the activity and expected outcomes;
- The employer with whom the Work Experience will be completed and other pertinent information; and
- Other services/activities necessary to support the Work Experience learning activity.

The development of the IEP will be recorded in Employ Florida using service code 205 – Individual Employment Plan and include the required documentation/case note that aligns with the requirements prescribed in the Employ Florida Service Code Guide. The IEP will be signed and retained in the participant's case file.

When enrolling a participant in Work Experience, the Career Specialist will consider:

- The skill requirements of the occupation;
- The academic and occupational skill level of the participant; and/or
- Prior work experience; and
- The participant's employment plan.

Priority of Service

Individuals in different categories may be served first due to priority of service. Individuals will be served in the following order:

- Recipients of public assistance, other low-income individuals according to Federal Low-Income Guidelines, or those determined to be basic skills deficient in Math and Reading.
- Those who are not "low income" but who have one or more substantial barriers to employment such as offender status, homeless, disability, single parent, and language barriers.
- Veterans/eligible spouses.

Work Experience Outreach

Front line staff and the Business Operations Team will work together to identify appropriate candidates and appropriate work experience sites. Identified job seeker work experience candidates must complete WIOA eligibility activities, be determined eligible for work-based learning, and deemed an appropriate match, with proper learning activities, for the open position. Outreach includes, but is not limited to, face-to-face contacts, press releases, networking with other agencies, and speaking to civic organizations.

Work Experience may also be marketed to job seekers by any staff member.

Occupation Eligibility

A Work Experience contract is appropriate for businesses with open job orders that are difficult to fill based on required skill levels or degree of experience needed.

CSH will ensure that participants are placed in Work Experience for occupations that are in demand in our local area. CSH will ensure that an employer does not use the WIOA Work Experience to directly or indirectly aid in filling a job opening that is vacant because the former occupant is on strike or involved in a labor dispute that may lead to a strike.

Duration of Work Experience

Work Experience will not exceed forty (40) hours per week for twelve (12) weeks, or a maximum of 480 total hours.

Youth Paid Work Experience Learning Plan

A Youth's Paid Work Experience Learning Plan that addresses the needs of the business along with the objectives required for the job seeker must be developed and agreed upon prior to the start of the learning activity (Attachment [D11-01](#)). Learning plan objectives can be broad, such as the ability to perform general tasks or to demonstrate required work behaviors, or position specific, such as meeting a quota as established and required by the employer.

In accordance with WIOA Youth guidelines, the learning plan will require Academic and Occupational Education components. These components refer to contextual learning that accompanies the Work Experience (i.e., learning about the duties of the different occupations in the worksite, or learning specific, required information in that occupation). The educational components may occur concurrently or sequentially with the Youth's Work Experience.

A CSH Business Representative will work with the employer to develop the Learning Plan with input from the WIOA Career Specialist and in coordination with the candidate, by utilizing the employer's job description and the participant's resume. The job description may be obtained from the Employer, or the Business Representative may assist the employer in writing a job description, thus providing a "value-added" service for the employer. For assistance in writing a job description, the Career One Stop Job Description Writer may be used (<https://www.careeronestop.org/BusinessCenter/Toolkit/GettingStarted.aspx>).

The Work Experience Learning Plan must be agreed upon and signed by the participant, employer, employer worksite supervisor, and CSH representative. The Work Experience Learning Plan will become part of the Work Experience Contract.

Eligible Businesses Will:

- ◆ Have been in operation in Local Workforce Development Area (LWDA) 19 for at least one (1) year prior to application date
- ◆ Be fully licensed to operate business in LWDA 19
- ◆ Demonstrate financial viability
- ◆ Be current on all state tax obligations

- ◆ Have at least one (1) full-time employee
- ◆ Assure that Work Experience funds will not be used to directly or indirectly assist, promote, or deter union organizing
- ◆ Assure that Work Experience funds will not be used to directly or indirectly aid in the filling of a job opening which is vacant because the former employee is on strike, or is being locked out in the course of a labor dispute, or the filling of which is otherwise an issue in a labor dispute involving a work stoppage.
- ◆ Assure there will be no displacement of regular employees or replacement of laid-off workers by the Work Experience program participant
- ◆ Assure they will comply with the non-discrimination and equal opportunity provisions of WIOA and its regulations
- ◆ Identify open positions the employer seeks to fill with work experience participants
- ◆ Have Job Descriptions for each open position to be filled
- ◆ Have an open Job Order
- ◆ Abide by all health and safety standards, including Child Labor laws, established under state and federal law
- ◆ Hold harmless to the extent permitted by state law, and, if necessary, defend and indemnify CareerSource Heartland from all claims, liabilities, and litigation of any nature whatsoever arising out of, because of, or due to, any breach related to the implementation of the Work Experience Worksite Contract
- ◆ Assure that no participant is placed in a Work Experience where a member of that person's immediate family is directly supervised by or directly supervises the participant. Family means two or more persons related by blood, marriage, or decree of court.
- ◆ Agree to cooperate with monitoring requirements conducted by the state and/or CSH and adhere to all other applicable local, state, and federal rules and regulations

Regulations otherwise applicable to working conditions of the Worksite Employers' employees shall be applicable to the working conditions of the Work Experience program participant.

Work Experience participants are not permitted to work, receive services, or participate in learning activities in working conditions, buildings or surroundings which are unsanitary, hazardous, or dangerous to their health or safety. Participants may not be engaged in sectarian or political activities.

Employer Worksite Review

To develop a worksite, a Business Representative will complete a Work Experience Employer Worksite Review. The Business Representative will complete the worksite review utilizing the Work Experience Employer Worksite Review (Attachment [D11-02](#)) to certify:

Site Activities

- Will there be sufficient activities, adequate supervision, knowledgeable supervisors, alternative arrangements in case of inclement weather, and sufficient materials, tools, and equipment for participants.

Safety Review

- Does the site appear to be safe and sanitary, are Employment/Labor Laws posters posted, no hazardous materials in areas where participant will be, safety gear available and will the site provide the necessary safety gear for participants, if required.

Operations Checklist

- Employer has open Job Order, attempts to fill the Job Order have been unsuccessful, business and position meets Work Experience Learning Activity

requirements, wage rates meet regional requirements, and there are no liens or judgements filed against employer.

If the CSH Business Representative identifies any concerns with the site steps will be taken to alleviate the concerns. Business Representative will ensure that all concerns identified are alleviated prior to the worksite being approved for a Work Experience participant.

Employer Work Experience Worksite Contract

Once the worksite review has been completed and approved, the Business Representative facilitates completion of a Work Experience Worksite Contract (Attachment [D11-03](#)) with the selected worksite partner. Three (3) copies of the Work Experience Worksite Contract should be created for original signatures. The Business Representative should review the Contract with the employer to assure that all terms are understood.

The Employer Work Experience Worksite Contract, which the Work Experience Learning Plan becomes a part of, will include the following:

1. A clear statement of purpose
2. A job description
3. A learning plan
4. Requirements of the worksite employer, participant, CSH, and the staffing agency designated by CSH
5. Contact information for the worksite supervisor
6. The worksite address
7. Record-keeping, attendance, and payroll information
8. The duration of the activity
9. The process of monitoring the participant's worksite activities and ensure adherence to the records retention requirements, as applicable
10. Required tools, equipment, or uniforms, if applicable
11. An assurance that all health and safety standards established under federal and state law otherwise applicable to working conditions of employees shall be equally applicable to working conditions of the Work Experience participants.
12. Signatures and dates of all parties to the contract, including the worksite employer and the staffing agency.
13. Assurance that funds will not be used to displace (including a partial displacement, such as a reduction in the hours of non-overtime work, wages, or employment benefits) a current employee (as of the date of participation)
14. Assurance that funds will not be used to impair an existing contract for services or collective bargaining agreement, and no activity that would be inconsistent with the terms of a collective bargaining agreement shall be undertaken without the written concurrence of the labor organization and employer concerned.
15. Assurance that funds will not be used to employ a participant in a job if any other individual is on layoff from the same or any substantially equivalent job, or that 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 created with the participant.
16. Assurance funds will not be used to create a promotional line that will infringe in any way upon the promotional opportunities of currently employed individuals (as of the date of participation)
17. Assurance that funds will not be used to encourage or induce relocation

WIOA regulations require a job description for each Work Experience position. If an employer is approved for multiple Work Experience positions, job descriptions will be required for each position.

The Employer Work Experience Worksite Contract must be signed and dated by all parties to the contract: the staffing agency, the worksite employer, and CareerSource Heartland.

Work Experience Worksite Contract and Worksite Approval Process

The Business Representative will collect the application packet, which should include the signed Work Experience Employer Worksite Review form, three (3) signed Work Experience Worksite Contracts, and a copy of the company's job description(s) and qualifications. The required Learning Plan and a resume must be added once the participant has been identified and the Plan has been developed.

The Business Representative will thoroughly review the packet to assure all aspects meet programmatic requirements.

The application packet should also include:

1. Copies of documents from sunbiz.org
<http://www.sunbiz.org>
 - a. Is business listed?
 - b. If so, how long in business?
 - c. Check for Federal Lien registration and Judgment Lien information (red flag).
2. Copies of the State's System's case notes of the Job Order reviews. This includes case notes assuring that appropriate job matching activities occurred, and that legitimate unsuccessful attempts have been made to fill the open position with qualified candidates. Results must be documented in the State's System by entering case notes on the employer job order side and the job seeker side.

The Work Experience Worksite contract is a legally binding agreement between CSH and the employer and must be submitted to appropriate staff for approval. All three copies of the final application packet should be presented to CSH's President/CEO for review and approval or denial.

Once all originals have been signed by all parties as required, the document distribution is as follows:

1. One original copy of the contract packet with all original documents remains in the CSH Administrative Office.
2. One copy of the original contract will go to Employer and one copy to the staffing agency.

Paid Work Experience Employer Manual

Once the approval process is completed, the Business Services Representative will review the Paid Work Experience Employer Manual with the worksite employer. The employer will sign the Worksite Employer Manual Acknowledgement form. A copy of the form will be placed in the hard copy file of the participant.

Worksite Employer Information Emailed to Designated Staffing Agency

When the Work Experience Contract has been approved, CSH staff will email the designated staffing agency to provide the details on the worksite employer and the position. Details will include Worksite Business name, address, phone number, and all contact information, as well as the job order/position details including drug testing and background screening requirements. The work experience activity may not begin until this process has been completed.

Participant Referral to Designated Staffing Agency

Following determination of WIOA eligibility, the participant will be referred to the designated staffing agency. The staffing agency will complete in-processing, provide safety training and

instructions on how to complete and submit time sheets and collect paycheck, and will make final referral to the worksite employer.

Work Experience Orientation

Once the participant has completed all necessary in-processing and orientation with the Staffing Agency, they must attend a Work Experience Orientation Session with a CareerSource Heartland Career Specialist. The Orientation Session will include an overview of the Work Experience program and expectations, as well as an overview of expected work habits and behaviors. Participant will be provided with a copy of the Paid Work Experience Participant Manual and sign the Acknowledgement Form for their hard copy file. The participant may not begin the work experience activity until this step is completed.

Once the participant begins, the Work Experience activity will be recorded in the state's management information system, currently Employ Florida, using the following service code and including the required documentation/case note that aligns with the requirements prescribed in the Employ Florida Service Code Guide:

- Youth: 425 – Work Experience - Paid

Monthly Progress Report

Participant progress reports (Attachment [D11-04](#)) must be completed by the employer and submitted to CSH on a monthly basis. The progress reports are based on the Work Experience participant's performance in terms of the skills to be learned as well as expected work habits. The employer will rate the participant based on a rating scale of – Poor, Marginal, Good, Very Good, and Excellent.

The form must be signed and dated by both the employer and the participant. A copy is submitted to the Business Representative and then forwarded to the WIOA Career Specialist for the participant's case file.

Monthly, the participant should report their progress to their Career Specialist. This report can be verbal, but the Career Specialist must assure that the learning activity that is being provided coincides with the participant's learning plan, and that, from the participant's viewpoint, progress is being made. Monthly contact will be case noted in the States System.

Participant Time Sheets

Each Work Experience participant is responsible for completing their timesheets, obtaining their supervisor's signature, and submitting the timesheets to the designated staffing agency, on the timeline established by the staffing agency.

Work Experience Worksite Evaluation

Upon completion of Work Experience, the Career Specialist will make an effort to have the participant complete the Work Experience Worksite Evaluation (Attachment [D11-05](#)). The results should be reviewed and discussed with the participant and should be taken into consideration when evaluating the worksite employer for future contracts. The completed evaluation form should be kept in the participant file.

Monitoring

All Work Experience contracts are reviewed by the Business Representative, the Chief Programs Officer (CPO), and the President/CEO prior to signing.

Formal oversight and monitoring of Work Experience contracts will be conducted at random to ensure compliance with applicable laws and regulations, and to ensure the integrity of WIOA funds and review performance. Programmatic monitoring will include review of documentation received directly from the staffing agencies; monthly progress reports; and participant comments on progress and learning activities. CSH designated staff will conduct a minimum of one visit per

worksite to ensure that contracts and learning plans are being followed and that all parties are, and remain in, compliance with federal and state laws, as well as state and local policies and procedures. Within reason, efforts will be made to conduct monitoring while participants and supervisors are on-site.

Through its normal internal control processes:

1. CSH's Finance Department completes a desk review to assure billing and fiscal compliance; and;
2. The President/CEO reviews and serves as the check approver prior to remitting payment.

The Department of Economic Opportunity (DEO) will annually monitor Work Experience services and activities for compliance with requirements by USDOL and DEO.

Amendments to Original Contract

There may be occasions where the original worksite contract requires modification. A worksite employer may request an amendment to the original contract using the Work Experience Learning Activity Amendment form (Attachment [D11-06](#)). Amendments may be requested to change start or end dates of the learning activity, change a supervisor or provider contact information, or change participant information. Any change in participant information must be discussed in advance and justified by circumstance. A change to end dates of the learning activity may be considered when a catastrophic event occurs that prohibits the participant from completing their 480 hours in the original agreed upon time span (i.e., unexpected extended illness of the participant).

Additional Considerations

Although this should be an exception and not the rule, Work Experience may be coupled with other formal training options when the need is justified and approved by CSH's President/CEO. In these circumstances, the justified need should be clearly documented in a formal request to the CSH President/CEO. The President/CEO will keep the CSH Board aware of these situations as they occur.

Worksite employers who exhibit repeated use of work experience candidates with no resulting hires may be deemed ineligible for additional services through this program.

On occasion, under specialized circumstances, it is possible to place an individual in a work experience worksite when no job is available, in order for that individual to gain needed experience and skills that will promote their hire elsewhere. The process for worksite application will be similar but will not require verification of hard to fill job order. The Participant application process and the follow-up criteria will remain the same. The CSH President/CEO must approve these special cases in advance.

Under specialized circumstances, the requirement that eligible businesses must have been in operation in LWDA 19 for at least one (1) year prior to the application date may be waived. The CSH President/CEO must approve these special cases in advance.

WIOA Follow-up Services

Follow-up Services may be provided based on the participants need and/or desire for the services. The CSH Career Specialist will enter a code F03 - Tracking Progress on the Job, or other applicable F-series code, at the time of the case closure. The participant's receipt of Follow-up Services will be included in the case closure case note.

CSH Career Specialists will provide Follow-up Services on a quarterly basis and case note the participant's progress in the case note section of the State's MIS.

If at the time of case closure, the participant does not want or need Follow-up Services, the CSH Career Specialists will document, in the WIOA case closure case note, the participant's refusal of the services.

Quarterly Follow-ups

As a program participant completes services and their case is exited in the State's MIS, the MIS will trigger four quarters of Quarterly Follow-up Services to be completed. Follow-up Services are mandatory for all exited program participants with the exception of those participants who are globally excluded due to death, institutionalization, health/medical, or reservist called to active duty.