

<b>WORKFORCE INVESTMENT BOARD OF TULARE COUNTY (WIB)</b>  <b>YOUTH ACTIVITIES</b>	<b>DATE:</b> <b>April 10, 2014</b>
	<b>SUBJECT: Youth Work Experience/Internship Policy</b>

**WIB DIRECTIVE**

**TUL 14-02**

**TO:** WIB Youth Service Providers and WIB Staff

**SUBJECT:** Youth Work Experience / Internship Policy

**EXECUTIVE SUMMARY**

**Purpose:**

This directive provides policy and procedure for youth work experience and internship activities funded by the Workforce Investment Board (WIB) of Tulare County.

**Scope:**

This directive applies to all WIB-funded youth programs. Should a particular funding stream have requirements differing from this directive, those requirements will be issued in a separate policy bulletin, or within the contract statement of work.

**Effective Date:**

This directive is effective upon date of issuance.

**References:**

- Workforce Investment Act of 1998, Section 129(a)5)
- Workforce Investment Act Regulations at 20 CFR Parts 664 and 667.272
- TEGL 33-12, Workforce Investment Act Youth Program Guidance for PY 2013
- TEGL 30-10, Workforce Investment Act Youth Program Guidance for PY 2011
- TEGL 27-09, Workforce Investment Act Youth Program Guidance for PY 2010
- California Child Labor Laws, Department of Industrial Relations, Division of Labor Standards Enforcement
- *Preparing Youth for Life, The Gold Standard for High School Internships*, National Academy Foundation

**LOCALLY IMPOSED REQUIREMENTS**

This directive contains locally imposed requirements.

**FILING INSTRUCTIONS:**

Retain this directive until further notice.

**BACKGROUND:**

Work experiences and internships are closely supervised, planned, structured learning experiences that take place in a workplace for a limited period of time. Work experience/internship assignments may be in the private,

for-profit sector; the non-profit sector; or the public sector, although internships typically occur in the private sector as they are intended to result in unsubsidized employment. Work experiences may be paid or unpaid, subsidized or unsubsidized learning activities.

Work experiences are intended as entry-level work-based learning activities for youth that lack work history and/or occupational skills. They are designed to enable participants to gain exposure to the working world and its requirements. The purpose is to provide the participant with opportunities for career exploration and skill development more than to benefit the employer, although the employer may, in fact, benefit from the activities performed by the participant. Instruction in employability skills or generic workplace skills should be addressed by staff and worksites prior to and during a work experience. Work experiences may also provide exposure to various aspects of an industry and include progressively more complex tasks.

Internships are similar to work experiences except they are generally a high-tiered job training opportunity for youth seeking unsubsidized employment. Internships are conducted with private sector businesses and focus on job retention, occupational skills, and helping youth to acquire the personal attributes, knowledge and skills to obtain a job and advance in employment. Successful completion of subsidized internship training is intended to result in the youth being hired by the business with whom the training occurred. Participants placed on internships will be paid the prevailing rates of pay for individuals employed in similar occupations by the same employer.

The WIB and Youth Council adopted the *Gold Standards for High School Internships* from the National Academy Foundation as the basis for common standards of work-based learning, acknowledging variances dictated by different funding streams. [www.naf.org](http://www.naf.org)

## **POLICY AND PROCEDURES:**

### **Who can participate in a Work Experience/Internship?**

Youth who meet eligibility requirements and are enrolled in program services may participate in a work experience/internship pending available funding and determination that this activity meets the assessed needs and individual's service strategy (ISS). A work experience or internship should not be the first program activity for a participant. Participants must demonstrate that they can be counted on to fulfill expectations and commitments in order to be placed in a work experience/internship. There are a number of activities that can precede work experiences, including career exploration and work readiness.

### **Work Readiness Training**

All youth must, at minimum, complete WIB-approved work readiness training in the areas identified below in advance of placement in a work experience or internship activity. Programs should also incorporate work readiness throughout the work experience/internship in order to reinforce positive work ethics and the requirements for successful job retention. This means incorporating age and developmentally appropriate levels of instruction and learning for youth who have limited or no work experience as well as on-the-job work readiness training that focuses on advancement of basic work readiness and work maturity skills. Note: Pre and post testing of work readiness skills is required to measure acquisition of skills.

#### **The Hiring Process – Module I**

- Job Application – completed application and/or post-test
- Resume & Cover Letter – completed resume and cover letter and/or post-test
- Interview and Follow-up – workshop attendance and mock interview worksheet

#### **Success in the Workplace – Module II**

- Appearance and Personal Habits – post-test
- Time Management (Punctuality, Attendance, Reliability) – post-test
- Communication and Teamwork (Attitude, Behavior, Courtesy, Teamwork) – post-test



- Personal Responsibility (Initiative and Personal Responsibility) – post-test

#### **Life Skills – Module III**

- Money Management and Self-Sufficiency (Budget and Finances) – completed budget
- Career Exploration and Education Planning (Career Exploration and Higher Education) – workshop attendance

#### **A Safe and Productive Summer – Module IV**

- Workplace Ethics – orientation and participant handbook
- Safety Practices and Labor Laws – orientation and participant handbook
- Non-Discrimination and Sexual Harassment – orientation and participant handbook
- Agency Information and Policies (i.e. timesheets, etc.) – orientation and participant handbook

#### **Work Experience**

- Complete a minimum of 20 hours of work experience/work maturity – time sheet and supervisor evaluation

The WIB is committed to linking workforce development programs to the work of career pathways and academies, particularly as it pertains to providing meaningful work-based learning opportunities to eligible youth. This should not be construed as a directive to serve only pathways youth but rather to ensure that every effort is made to link work-based learning opportunities to career goals or pathways for all youth.

#### **Orientation**

Participants, work site supervisors and partner agency staff will receive a comprehensive orientation that addresses program expectations and goals, child labor laws, occupational health and safety, payroll issues, attendance, employer policies, disciplinary procedures, rights and responsibilities, and all relevant WIB policies and procedures.

#### **Length of Work Experience**

Work experience/internship assignments shall be for a reasonable, but limited, length of time based on the needs of the participant and training requirements, and shall be documented in the individual service strategy and case notes.

Generally, work experience / internship assignments should not be less than 90 hours per participant, nor exceed 200 hours per participant unless pre-approved by the WIB. Work experience/internship hours shall be applied fairly and evenly to all participants, with any fluctuation in hours based solely upon the assessed needs of the participant and the worksite, as noted in the ISS and case notes. Consideration of available funding is also essential. A work experience/internship can be terminated by the worksite or Service Provider staff if expectations are not being met.

#### **Choosing the Right Employer/Worksite Expectations**

Matching the participant with the right employer is essential to making a work experience/internship successful for the participant and employer. Employers need to have a clear understanding and expectation of the attitudes and habits that a participant may exhibit. They also need to be prepared to spend adequate, quality time with the participant and provide appropriate supervision.

Selection of work sites will be based upon the value of the work performed and the work site's ability to reinforce the relationship between success in the work place and education. Work assignments should be meaningful, and reinforce the rigors, demands, rewards, and sanctions associated with holding a job.

Effort should be made to place participants at a worksite that matches their interests, abilities and career pathways. Keeping in mind that a work experience is designed to provide career exploration and hands on learning, if needed, a participant may be moved from one worksite to another when the worksite is not an appropriate "fit." Such a move would require a new contract, training plan and explanatory case notes.

It is also expected that worksite Supervisors will perform evaluations every pay period; notify the Service Provider staff of potential issues and/or exceptional performance; and review and approve the participant timesheet to be



submitted for payment to Provider staff. The Provider staff and worksite must develop a job description individualized to the particular position being filled, a training plan specific to the job, and complete a worksite contract. Work experience must be included on the participant's service strategy.

#### Work Experience/Internship Agreements:

1. Will not be developed for gambling establishments or drinking establishments serving alcoholic beverages.
2. Cannot be developed with employers that have relocated all or part of their business within 120 days after the date on which such establishment commences operations at a new location, if the relocation results in loss of employment at the original location (WIA Final Rule, Section 667.268).
3. Worksites must comply with anti-displacement provisions and other requirements.
4. Participants may not be involved in religious sectarian instruction or activities while on the job.
5. May not take place with an employer where the participant has been previously employed or in a job that the participant has previously held. If it is appropriate and justified (in case notes) for a participant to be placed on work experience with a previous employer, the work assignment must be different from that previously held.
6. Program staff must select employers for involvement with the work experience program who:
  - Are not in violation of federal, state, or local labor laws;
  - Are not involved in a strike, lockout, or local labor dispute.

#### **Contracts**

A *Worksite Training Contract* will be used to establish all work experience/internship assignments. A contract will be developed for each individual work site and participant that specifies job title, wages, hours and contract duration prior to the participant starting the work experience/internship. All *Worksite Training Contracts* will be signed by the authorized representative of the employer, the participant and the Service Provider. A copy of the contract will be available at the work site, delivered to the participant, and on file with the Service Provider.

The Service Provider will not write a *Worksite Training Contract* with any employer who has a history of unsuccessful work experience/internship contracts nor may a participant be placed on a worksite that is owned, operated, or supervised by family member(s).

A WIB-approved *Pre-Award Survey* will be conducted for each employer/worksite prior to developing a *Worksite Training Contract*.

#### **Individual Service Strategy (ISS)**

Work experience/internship must be included as an activity within the *Individual Service Strategy (ISS)*. The ISS is the basic instrument to document the appropriateness of the decisions made about the combination of services for the participant. This is a living document that requires periodic review and updating of the participant's plan of action to achieve his/her goals.

#### **Training Plan**

The *Task-Oriented Training Plan* is used to identify the specific skill requirements and training approach to be used in a work-based training program. It will also be used as an assessment tool to document which skills the participant lacks at the start of training and to record the measurement of skill attainment over the course of training. Soft skills identified by the worksite as critical to successful job performance, should also be included on the training plan. Including soft skills (work readiness skills) on the training plan will reinforce the value that



employers place on soft skills and that these skills are as important in job performance as hard skills (occupational skills).

### **Timesheets/Wage and Hour**

When a work experience/internship is paid by a WIB Service Provider, the participant becomes an employee of the Service Provider and wages are paid by the Provider. The Service Provider also carries general liability insurance and worker's compensation covering the participants.

Wages shall be paid at no less than the minimum wage. Where the federal and state minimum wage rates are different, the minimum rate of pay would be the higher of the two. Participants are paid only for time worked, overtime and holiday pay is not allowed. Staff must ensure proper tax forms and I-9's are also completed.

Work experience/internship wages are not eligible for unemployment insurance benefits as the activity is considered a component of a workforce development training program. Participants receiving public assistance should inquire with the appropriate agency regarding the possible impact on their benefits due to earnings received from the work experience. Service Provider staff is expected to assist customers with this process.

Timesheets must be completed to reflect the number of hours worked. Participants will not be paid while attending class. Provider staff must assist participants and worksites in keeping timesheets completed accurately; ensuring they are reviewed and signed by the participant and worksite Supervisors; and by Provider staff prior to submitting them for payment.

### **Workplace Safety and Child Labor Laws**

General workplace safety is to be monitored by Service Provider staff and worksite Supervisors. Any identified issues must be addressed immediately by the Provider staff and supervisors. Worksites must ensure that, if applicable, they will adhere to Child Labor Laws established by the State of California, Department of Industrial Relations and ensure safe and sanitary working conditions.

All accidents or injuries, regardless of how insignificant, must be reported immediately to the worksite Supervisor and the Service Provider staff. Providers are responsible to ensure that all reporting is done in a timely and accurate manner. Participants are covered by a Workers Compensation Insurance Policy, carried by the Provider. If youth are injured on the job, and require medical treatment, Workers Compensation covers the medical bills. Follow the "Accident Procedures" in the *Participant / Supervisor Handbook*, as covered during orientation.

Funding permitting, drug tests may be performed in the event of a workplace accident if deemed necessary for participants or if required by workers compensation insurance or the worksite. Some worksites may require background checks prior to beginning the work assignment.

### **Work Permits**

California State Law requires that all youth under the age of eighteen (18), must have a work permit before starting work, with noted exceptions. Work permits must be maintained at the worksite and in the electronic participant file. Be sure that NO youth under age eighteen (18) who needs a work permit starts work without the permit.

Minors under 18 years of age must attend school to get a work permit, with some noted exceptions. If a student graduates from high school before age 18, he or she no longer needs a work permit. If a student passes the California High School Proficiency Exam (CHSPE) or the G.E.D. before the age of 18, he or she no longer needs a work permit. When an employer hires someone under 18 years old who has graduated, passed the CHSPE or G.E.D., the document verifying that fact must be given to the employer as proof that no work permit is required.



Minors between 16 and 17 years of age who have not graduated from high school or who have not received a certificate of proficiency may opt to attend part-time classes. Those who are regularly employed must attend continuation classes for at least four hours per week. Those not regularly employed must attend continuation classes for at least 15 hours per week. A minor attending a charter school who wishes to work, must obtain the standard *Permit to Employ and Work*, and the employer must possess such permit. Either the minor's school or the authority that granted the school's charter (normally the local school district) may issue the permit. No minor may legally drop out of school entirely.

Emancipated minors must attend school in order to get a work permit. Emancipated minors are those who have gone through court proceedings to be legally separated and freed from the control of their parents for certain reasons. Emancipated minors are still required to get a work permit before being employed but may obtain the work permit without parent consent and signature.

### **Worksite Supervisor Expectations**

In summary it is expected that worksite supervisors will:

- Serve in a mentoring and learning environment
- Provide adequate supervision during work hours
- Ensure that there is meaningful adequate work and provide needed tools/equipment to perform the job
- Complete regularly scheduled performance evaluations and review with participant
- Notify Provider staff of potential issues and/or exceptional performance
- Review and approve the participant timesheet to be submitted for payment
- Maintain required documents at the worksite
- Communicate with program staff

### **Program Staff Expectations**

Provider staff will provide all services as outlined in their individual WIB contract(s) and other policy released by the WIB. In summary, as it relates to work experience/internship, it is expected that Provider staff will:

- Develop the worksite related to the participant's career interest and/or pathway
- Provide orientations to both participant and worksite supervisors
- Develop the *Worksite Training Contract* and *Task-oriented Training Plan*, collaboratively with the worksite and the participant and maintain detailed participant files (including updated *ISS* and timely case notes)
- Address worksite concerns or issues
- Monitor worksites
- Provide career counseling and training for participants
- Review and submit participant timesheet for payroll processing
- Worksite visits should ideally be made at least once per pay period, but at a minimum once a month, unless more frequent contact is deemed necessary and appropriate
- Ensure that all workplace accidents are reported immediately to the WIB

### **Participant Files**

Unless notified otherwise by the WIB, all participant files are electronic therefore staff is to ensure that all required documents are in the Virtual One-Stop system (VOS).

### **Monitoring**

It is the responsibility of Service Provider staff to monitor all work experiences based upon the following criteria: safety, labor laws, adequate supervision, positive work ethic, adherence to the training plan and contract. Worksite visits shall occur at regularly scheduled intervals, ideally visits will occur once per pay period, but at a

minimum once a month. Monitoring visits should include observation of the participant at work and contact with the Supervisor to identify any issues that may need to be addressed. Should it be determined that a participant does not have adequate supervised work, Provider Staff will discuss this with the worksite Supervisor to correct the situation. If the situation cannot be resolved, a new worksite should be pursued. If the participant displays disciplinary problems, staff and worksite Supervisors will address this with the participant in an attempt to correct the behavior. If issues and/or behavior cannot be corrected, the work experience will be terminated. Workplace expectations and standards may be found in the *Supervisor/Participant Handbook*.

All program and worksite files may be monitored and worksite visits may be made at any time by WIB staff, the California Employment Development Department (EDD), and/or the United States Department of Labor (DOL), etc.

### **Supportive Services**

Supportive services shall be made available for participants if assessment and ISS indicate that such services are appropriate and necessary in meeting the participant's goals. Supportive services guidelines are considered flexible and decisions regarding the provision of services are based upon available funding and determined need on a case-by-case basis. Youth supportive services may include:

- Assistance with transportation (bus passes). In general, transportation reimbursement can be provided upon initial placement until the participant receives their first paycheck.
- Assistance with appropriate educational and work-related items [books, uniforms or appropriate work attire, tools, job-related tests (TB, background checks)]

### **Funding/Restrictions**

All activities related to the work experience/internship are contingent upon funding availability. If at any point funding is determined limited, activities may be shortened, suspended, or ended.

In the event that special funding is received, additional rules/guidance may be required to meet the expectations of the additional funding source.

### **ACTION:**

Bring this directive to the attention of all youth program staff and others as deemed appropriate.

### **INQUIRES:**

Please direct questions concerning this policy memorandum to WIB Administration at (559) 713-5200.



ADAM PECK  
Executive Director

Attachments: Pre-Award Survey  
Worksite Training Contract  
Task-Oriented Training Plan

AP:EC