

# SC WORKS

## PEE DEE

PEE DEE INSTRUCTION NUMBER: WIOA-18-005 Change 1

TO: Pee Dee Local Workforce Development Area Contractors

SUBJECT: Work Experience and Transitional Jobs

ISSUANCE DATE: January 14, 2019

EFFECTIVE DATE: Immediately

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**Purpose:** The purpose of this instruction is to transmit the revision of two attachments to Instruction WIOA-18-005 Work Experience and Transitional Jobs. No other language in the Instruction is affected by the changes.

**Background:** The LWDA updated the Work Experience and Transitional Jobs Instruction in October, 2018. In the ensuing delivery of the work experience activity, contractor staff recommended revisions:

- Require contractor staff to take part in the Mid-Point and End of Program Reviews. This change results in the addition of a signature line for a WIOA Contractor Representative to Attachment B *Trainee Evaluation Form*.
- Change the references to "Career Coaches" in Attachment F *Professional Behavior and Dress Policy* to "WIOA Contractor Representative."

The LWDA concurs with the recommendations and amended Attachments B and F are included in Change 1.

**Policy Background:** The Workforce Innovation and Opportunity Act (WIOA) was implemented on July 1, 2015. WIOA's definition of work experiences for youth are basically the same as the description for work experiences under the provision of the Workforce Investment Act (WIA), WIOA's predecessor legislation. WIOA, however, introduces the concept of transitional jobs for adults and dislocated workers, as opposed to the work experiences that could be offered as a WIA intensive service.

Section 681.600 of the Workforce Innovation and Opportunity Act (WIOA) defines work experiences for youth as planned, structured learning experiences that take place in a workplace for a limited period of time. Work experience provides the youth participant with opportunities for career exploration and skill development. Work experiences may be in the private-for-profit sector, the non-profit sector, or the public sector. They may be paid or unpaid. Labor standards apply in any work experience where an employee/employer relationship, as defined by the Fair Labor Standards Act or applicable State law, exists. Child labor laws also apply.

Section 680.190 of WIOA defines a transitional job as one that provides limited work experience for adults and dislocated workers. It is subsidized in the public, private, or non-profit sectors for those individuals with barriers to employment because of chronic unemployment or inconsistent work history. These jobs are designed to enable an individual to establish a work history, demonstrate work success, and develop the skills that lead to unsubsidized employment.

**Policy:** The Pee Dee Workforce Development Area's policy as it relates to work experience/transitional jobs is as follows:

1. Up to 10% of the adult and dislocated worker funds may be used for transitional employment for eligible participants who are chronically unemployed or have inconsistent work history. For purposes of this activity, an individual who has been unemployed for more than six months will be considered chronically unemployed and inconsistent work history will be defined as those who have not maintained continuous employment for at least six months. Transitional jobs must be combined with comprehensive career services and supportive services. Supportive services may be provided by partners in accordance with Section 680.900 of WIOA. In accordance with Section 680.150 of WIOA, individualized career services must be made available, if determined appropriate and in order for an individual to obtain or retain employment. In addition, follow-up services must be made available for a minimum of 12 months following the first day of employment, to participants who are placed in unsubsidized employment.
2. Youth work experiences must include academic and occupational education. The educational component may occur concurrently or sequentially with the work experience. Further academic and occupational education may occur inside or outside the work site.

The types of work experiences for youth include the following:

- Summer employment opportunities and other employment opportunities available throughout the school year;
- Pre-apprenticeship programs;
- Internships and job shadowing; and
- On-the-job training opportunities.

Separate requirements are included in each contractor's statement of work as it relates to on-the-job training (OJT) opportunities. Contractors are required to adhere to those separate requirements as they relate to OJT.

**Action Required:** As it relates to work experience and transitional jobs:

1. The contractor must enter into a Work Site Training Agreement with the employer offering a participant a work experience or transitional job. This training agreement must adhere to all applicable federal, state, and/or local legislation relative to work experience/transitional jobs training (Attachment A). A training site must be eligible to enter into a Work Site Training Agreement (i.e. the training provider must not be legally barred from performing services for the Department of Labor or any other governmental entity).

2. The contractor should insure that participating worksites introduce and reinforce the rigors, demands, rewards, and sanctions associated with holding a job. Contractors should seek employment sites that allow the youth to receive hands on experience in a career cluster/industry of interest, develop and practice work readiness skills in a professional environment and gain mentors and a network of contacts in the career cluster/industry of interest.
3. Total training hours in work experience or a transitional job will not exceed 40 hours per week for three months for a total of 480 hours without prior approval of Pee Dee Regional Council of Governments.
4. Copies of the Work Site Training Agreement must be maintained in a central file at the contractor's office and at the training site.
5. The contractor should develop documentation for the participant's signature that includes the stated work hours, notice of lunch break without pay, the hour wage, time and location of payment and knowledge that their worksite supervisor will evaluate their work experience/transition job performance at least two times during the work experience/transitional job - midway and at the end. The documentation should include assurances that the participant is not related by birth, marriage, or by common law to any employee in a position of supervision on the work experience/transitional job training site selected for the participant. (Sample, Attachment E).
6. The contractor must complete an I-9 and W-4 for each participant engaged in a paid work experience/transitional job. As a general rule, contractors should expect to compensate participants engaged in all types of work experience or a transitional job, with the exception of internships (that do not involve an employee/employer relationship as defined by FLSA or State labor laws) and job-shadowing, which do not require compensation. Exceptions to this requirement must have the prior written approval of Pee Dee Regional Council of Governments. Contractors may consider work experiences offered by partner programs as part of their service strategy to an adult, dislocated worker or youth, as long as the work experience meets the criteria established in the "Policy" section of this document. Wages paid by partners do not count toward any expenditure requirements or limits under the WIOA regulations.
7. The contractor shall pay participants wages up to the rate paid to employees/trainees in similar positions, but not less than the prevailing Federal Minimum Wage established by the Fair Labor Standards Act. Participants will earn wages for hours worked (not to exceed 40 hours per week).
8. Work experience/transitional jobs trainees must be evaluated at least twice during his/her participation by the training supervisor to insure that the trainee is progressing toward planned goals and is meeting the expectations of the training provider (Attachment B). A representative of the contractor will participate. The evaluation will cover each of the major training elements outlined in the Work Site Training Agreement. The training site will notify the contractor immediately if there are attendance or disciplinary problems, or if the participant is unable to perform in accordance with the Training Agreement.
9. The contractor must monitor training sites at least once during the training period to ensure compliance with the Training Agreement. The Work Site Monitoring Instrument (Attachment C)

must be utilized to document all monitoring activities. This instrument should be maintained in a central file at the contractors' office.

10. Time and attendance documentation must be maintained to document participation in the work experience/transitional jobs activity (Attachment D). The trainee will not receive payment for any absence, whether excused or unexcused.
11. The contractor must ensure that work experience/transitional job arrangements do not unfavorably impact current employees and do not impair existing contracts for services or collective bargaining agreements of unions.
12. The contractor must ensure that work experience/transitional job participants do not "displace" a current worker.
13. The adult/dislocated worker contractor must ensure that no more than 10% of the allotted funds for adults and dislocated workers are expended on transitional jobs.
14. Youth contractors must ensure that funds expended on work-based learning, as defined by WIOA regulations, are at the levels prescribed in their work statements. For purposes of calculating the required expenditure levels, funds expended by partners for the work experience activity will not be applied.

**Inquiries:** Questions pertaining to this instruction should be directed to Joette Dukes at (843) 669-3138.



Joette R. Dukes, Workforce Development Director

- Attachments:
- A. Training Agreement & Signatory Page
  - B. Trainee Evaluation Form
  - C. Work Site Monitoring Instrument
  - D. Participant Time Sheet
  - E. Trainee Certification
  - F. Professional Behavior and Dress Policy
  - G. "What is WIOA Work Experience for Youth?" Sample Cover letter

**PEE DEE LOCAL WORKFORCE DEVELOPMENT AREA  
WORK EXPERIENCE/TRANSITIONAL JOBS TRAINING AGREEMENT**

Employer:

Address:

Worksite Supervisor:  Phone:

Alternate Work Supervisor:  Phone:

Trainee's Name:  Age:

Trainee's Job Title:  Phone:

Numbers of hours working per week:  Days of Work Schedule:

Number of Participants at this site:  Time of Work Schedule:

Total Contract Hours (not to exceed 480 hours):

Start Date:  End Date:

Skills Needed for Work Experience/Transitional Job:

1.
2.
3.

Brief description of Job duties (attach job description):\_

### **Worksite Supervisor's Responsibilities**

*I understand that the trainee is to be provided with a valuable work experience, which will provide the above-indicated training. In addition, the worksite supervisor will provide:*

- A. Adequate supervision;
- B. An environment that will help the individual's job performance throughout the training so that he or she can learn and grow as an employee;
- C. Soft Skills development;
- D. Accurate account of daily time and attendance;
- E. Sufficient work to occupy participant during work hours;
- F. A safe and healthy environment;
- G. A work environment that adheres to the provisions of the South Carolina Child Labor Laws;
- H. Sufficient equipment and or/material to carry out work assignments;
- I. Maintenance and approval of participant's time record; and
- J. Evaluation of the participant's progress and certification that the participant has attained pre-identified job skill competencies by the end of training.

*By signing this agreement the Employer agrees to abide by the following regulations and prohibitions:*

- A. Ensure that the worksite complies with OSHA standards.
- B. Ensure that the worksite is bound by the Drug-Free Workplace Act of 1988.
- C. Notify the Contactor if a trainee's performance becomes substandard so that a meeting may be scheduled with the trainee, if agreeable to both parties, and follow up with the Contractor on a bi-weekly basis to confirm participant's progress.
- D. Train individuals determined by the Contractor to meet the eligibility requirements for training under WIOA Regulations.
- E. Maintain and make available participant's attendance reports and job duty statements.

### **General Provisions**

#### **A. Job Description**

The Worksite Supervisor will provide a job description for each job in which the participant will be assigned during the work agreement. The job description(s) will be maintained in the WIOA participant file. It is the responsibility of the WIOA Career Coach to review the job description(s) with the WIOA participant. The participant's signature will verify they have read and understand the job description(s).

**B. Supervision**

The Worksite must appoint a Supervisor for the participant who will provide direction and training. For youth, a Supervisor must be on hand at all times to guide and direct participants in completing their work assignments. It will be the responsibility of each site Supervisor to formally evaluate every participant in his/her charge at midpoint and at the conclusion of the work experience. An evaluation form will be provided by the contractor. The evaluation is to be submitted to the WIOA Program Career Coach. The participant evaluation will be placed in the WIOA participant file.

**C. WIOA Participant File**

The Worksite must maintain a file for each participant containing participant contact information, the contractor contact information, participant evaluations, participant timesheets and the Work Site Training Agreement.

**D. Timekeeping**

A major responsibility of the Worksite is the accurate daily monitoring of the participant and his/her timesheets. Each Worksite will receive timesheets for each participant assigned to their site. The Worksite will need to ensure the participant accurately records and signs their timesheet to reflect actual time worked. The participant will need to complete the timesheet at the start and end of each work shift. Worksite Supervisors must sign timesheets weekly. Timesheets are to be completed in blue or black ink.

**E. WIOA Participant Stipend**

The Contractor shall pay participants, wages up to the rate paid to employees/trainees in similar positions, but not less than the prevailing Federal Minimum Wage established by the Fair Labor Standards Act. Participants will earn wages for hours worked (not to exceed 40 hours per week) at a rate of \$  per hour.

**Worksite Agreement Signatory Page**

The signatures below formalize an agreement between the WIOA Contractor, [REDACTED], and the Employer, [REDACTED], in partnership to provide a meaningful Work Experience/ Transitional Job for the WIOA participant. It is understood that it is not guaranteed a participant will be placed in unsubsidized employment at this Worksite following the Work Experience/ Transitional Job. The WIOA Contractor will pay the participant's wages during the duration of the Work Experience. The employer is not liable for any injury or workman's compensation as the participant is covered under an Accident Insurance Policy through the State of South Carolina.

I, [REDACTED], representative of, [REDACTED] hereby agree to abide by the rules and regulations of the WIOA, as described in the Training Agreement. I certify that the Training Site is eligible to enter into this agreement and has not been barred from performing services for the Department of Labor or any other governmental entity. I understand that contractor staff may contact me, and I agree to work with them to resolve issues or concerns which may arise. I will notify the designated point of contact about major problems or issues, but do not hold them responsible. *Failure by either party to comply with any or all of the stipulations set forth in this agreement may be cause to terminate this agreement.*

Name, Title, Signature and Telephone Number of secondary person(s) authorized to sign claims for reimbursement under this contract. .

Name:		Title:	
Telephone No.:		Signature:	

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**Worksite Representative Signature**
**Date**


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**WIOA Contractor Representative Signature**
**Date**



**PEE DEE LOCAL WORKFORCE DEVELOPMENT AREA  
WORK EXPERIENCE/TRANSITIONAL JOB  
TRAINEE EVALUATION FORM**

Trainee Name: \_\_\_\_\_

Job Title: \_\_\_\_\_

Check One: ☐ Mid-Point Review☐ End of Program Review

Major Occupational Training Elements	Excellent	Satisfactory	Unsatisfactory	Areas in Need of Improvements/Comments
1. Attendance/Punctuality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Appearance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. Relationship with others	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. Ability to follow oral and written directives	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. Work habits and attitude	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. Quality of work	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Attitude towards fellow workers and supervisor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. Initiative	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. Dependability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. Willingness to learn	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Overall Job Performance</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

This evaluation has been discussed with the Work Experience/Transitional Job Trainee. The Trainee and the Work Experience/Transitional Job Supervisor certify that training has been provided as indicated by the terms of the Work Site Agreement.

\_\_\_\_\_  
Work Experience/Transition Job Trainee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Work Experience/Transition Job Supervisor Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
WIOA Contractor Representative Signature

\_\_\_\_\_  
Date

**PEE DEE WORKFORCE DEVELOPMENT AREA  
WORK EXPERIENCE/TRANSITIONAL JOB  
MONITORING INSTRUMENT**

*Training Site:* \_\_\_\_\_

\_\_\_\_\_  
*Participant(s) Assigned*

\_\_\_\_\_  
*Monitoring Date*

\_\_\_\_\_  
*Participant(s) Present*

\_\_\_\_\_  
*Contact Person for Training Site*

1. Is the assigned worksite supervisor present? Yes ☐ No ☐  
(If no is checked, list the name and job title of the person supervising)
2. Is there a completed worksite agreement at the site? Yes ☐ No ☐
3. Do the job descriptions accurately reflect the actual work that the trainee is performing?  
Yes ☐ No ☐
4. Are job assignments in accordance with the Fair Labor Standards Act (*Youth only*)?  
Yes ☐ No ☐
5. Are time sheets up-to-date and being accurately maintained? Yes ☐ No ☐
6. Do time sheets reveal hours in excess of those allowed by the Fair Labor Standards Act (*Youth only*)? Yes ☐ No ☐
7. Do time sheets reveal hours in excess of 40 hours per week? Yes ☐ No ☐
8. Based on interviews of participants at the site, answer the following questions:
  - a. Is there a supervisor present at all times (*Youth only*)? Yes ☐ No ☐
  - b. Is there sufficient work available for all trainees? Yes ☐ No ☐
  - c. Are time and attendance policies being adhered? Yes ☐ No ☐

d. Are trainees aware of their duties and responsibilities? Yes ☐ No ☐

e. Are trainees aware of the procedures as they relate to absences, tardiness, and emergencies? Yes ☐ No ☐

f. Are trainees experiencing any problems that may affect their worksite performance?

Yes ☐ No ☐

g. Name(s) of trainees interviewed:

9. Does a survey of the buildings and surroundings reveal any breach of compliance with OSHA safety standards? Yes \_\_\_\_\_ No \_\_\_\_\_

10. Based on trainee interviews and direct observation, were there any noted instances of non-compliance with the Agreement and/or federal, state, and local laws and regulations?

Yes ☐ No ☐ If yes, please explain.

11. Ask the Training Site Employer representative the following questions: On a scale of 1 to 6, with 6 being the best, how satisfied are you with the work experience/transitional job trainee and/or activity?

1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐

Have there been any issues with the trainee's work performance or behavior? How was it resolved?

12. General Comments/Observations:

\_\_\_\_\_  
Monitor's Signature

\_\_\_\_\_  
Date

**PEE DEE LOCAL WORKFORCE DEVELOPMENT AREA  
WORK EXPERIENCE/TRANSITIONAL JOB  
TIME SHEET**

Participant's Name: \_\_\_\_\_

Training Site: \_\_\_\_\_ Supervisor: \_\_\_\_\_

Pay Period: From \_\_\_\_\_ to: \_\_\_\_\_

<i>Day of Week</i>	<i>Date</i>	<i>In</i>	<i>Lunch</i>		<i>Out</i>	<i>Total Hours Worked</i>	<i>Trainee Signature</i>
			<i>Out</i>	<i>In</i>			
Sunday							
Monday							
Tuesday							
Wednesday							
Thursday							
Friday							
Saturday							
Sunday							
Monday							
Tuesday							
Wednesday							
Thursday							
Friday							
Saturday							
Total Hours							

Comments:

Supervisor's Signature \_\_\_\_\_ Date \_\_\_\_\_

**WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)  
WORK EXPERIENCE/TRANSITIONAL JOB  
TRAINEE CERTIFICATION**

I certify by signature that all information provided to the Workforce Innovation and Opportunity Act (WIOA) staff in reference to previous education and work experience is accurate to the best of my knowledge.

I further certify that I do not have any members of my immediate family (wife, husband, son, daughter, mother, father, brother, brother-in-law, sister, sister-in-law, daughter-in-law, son-in-law, mother-in-law, father-in-law, grandmother, grandfather, granddaughter, grandson, step-mother, step-father, step-brother, step-sister, step-son, step-daughter, half-brother, half-sister, uncle, aunt, nephew, and niece) employed in a selection, hiring, placement or supervisory responsibility for Work Experience/Transitional Job participants with \_\_\_\_\_.  
(Employer Name)

I have been informed of the purpose and expected results of the Work Experience Program by the WIOA staff and have had the opportunity to review my Job Description. I fully understand and agree to abide by its contents. I understand that I may be terminated from the Work Experience Program for failure to comply with the terms of this agreement.

I agree to abide by all rules and regulations established for all employees of the Training Site relating to workplace responsibilities and conduct. I will not engage in any partisan or non-partisan political activities or religious activities during training hours.

I understand that I will earn wages for hours worked (not to exceed 40 hours per week) at a rate of \$\_\_\_\_/hr and that WIOA will provide payment to me. I will not receive or request any compensation from the Training Site for work performed under this agreement. I will not perform any additional services for wages with the Training Provider not contained in this agreement. I will promptly notify the WIOA staff of any changes to my level of responsibility at the Training Site, as this may result in a change in my status as a trainee.

I understand that the Work Experience Training is divided into bi-weekly segments. I understand that my training payment will be based on my attendance as well as the progress that I make toward my established goals. Satisfactory completion of a training segment will be determined by my ability to satisfactorily perform occupational duties as stated in my job description.

\_\_\_\_\_  
*Trainee Name*

\_\_\_\_\_  
*WIOA Staff Person's Name*

\_\_\_\_\_  
*Trainee's Signature*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*WIOA Staff Signature*

\_\_\_\_\_  
*Date*

## PROFESSIONAL BEHAVIOR AND DRESS POLICY

To maintain the positive image of the WIOA program, participants are expected to behave and dress appropriately for all activities.

### **Behavior:**

- Participant is expected to respect all staff members, instructors, and Worksite Supervisors.
- Participant is not allowed to use cell phones, social media, headphones or other personal computer or electronic items while working at the Worksite.
- Participant will inform the Worksite supervisor and a WIOA Contractor Representative if they will be late or absent. Participant understands that poor attendance and excessive tardiness will not be tolerated.
- Substance abuse or smoking in non-designated areas comes with zero tolerance and is subject to immediate termination from the program.
- Weapons of any kind will not be tolerated and possession of such is subject to immediate termination from the program.
- Participant may have access to confidential employer/client information dependent upon the worksite selection. It is the participant's responsibility to maintain the integrity and confidentiality of the information.
- Worksite location policies also must be followed exactly. Not conforming to these individual policies is reason for immediate dismissal from the program.

### **Proper Appearance and Clothing:**

- Work Experience participant agrees to adhere to the Worksite's dress code and will wear proper uniform if required.
- Participant will inform a WIOA Contractor Representative if he/she is in need of proper clothing.
- Proper personal hygiene is expected in the work experience environment.

WIOA Contractor Representatives will enforce the Professional Behavior and Dress Attire Policy and reserve the right to *deny* participation in any of the program activities based on inappropriate behavior or dress attire.

<b>Participant Signature</b>	<b>Date</b>
<b>Parent Signature</b> <small>(If under 18 years of age)</small>	<b>Date</b>
<b>WIOA Contractor Representative Signature</b>	<b>Date</b>

## WIOA WORK EXPERIENCE PROGRAM

**The mission of the WIOA Program is to improve the quality, competitiveness, and productivity of the nation's future workforce by removing barriers and developing the skill sets of young adults.**

\_\_\_\_\_ operates the Workforce Innovation and Opportunity Act (WIOA) (WIOA Youth Contractor) program that is funded through the U. S. Department of Labor and administered by the Pee Dee Workforce Development Board in South Carolina.

We assists 16–24 year olds who live in \_\_\_\_\_ County(ies) with developing job skills, training, and education that can lead to a successful future in their selected Career Pathway.

We provide workforce services such as:

- GED / High School Diploma Assistance
- Basic Skills Upgrade in Math and Reading
- WorkKeys/WIN
- Occupational Skills Training/Upgrade
- Work Based Learning Opportunities

The WIOA youth program will pay for examination fees, supplies, background checks, and on a limited basis transportation reimbursement and childcare assistance.

The WIOA Youth Work Experience program is a short term (students may work 40 hours per week or less for three months/480 hours) structured learning experience for young professionals with limited or no employment history. A work experience can be either paid or unpaid. If the opportunity is a paid work experience, the participant will be paid wages by the WIOA contractor for the hours completed at the worksite. The worksite IS NOT responsible for paying the participant any wages during the duration of the work experience and is not liable for any injury or workman's compensation. Youth participating in a Work Experience are covered under an Accident Insurance Policy through the State of South Carolina.

Participants seek to gain the following from a work experience:

- The ability to receive hands on experience in a career industry of interest
- Develop and practice work readiness skills in a professional environment
- Gain mentors and a network of contacts in the industry of interest

Thank you for partnering with us to provide this young professional an opportunity to gain valuable skills and become more employable.