

EXECUTIVE SUMMARY

This policy provides guidance on the regulatory framework for the implementation of work experience opportunities. Subject to funding availability and local eligibility criteria, work2future provides Workforce Innovation Opportunity Act (WIOA) Title I participants the opportunity to gain valuable work experience. Program participants are encouraged to obtain work-based training that provides opportunities to earn and learn through skill training and paid work experience in accordance with the WIOA and 20 CFR Sections 681.460, 681.590, 681.600.

POLICY AND PROCEDURES

Employers and participants in work experience programs are subject to federal, state and local compliance review and audit monitoring regarding the program eligibility, selection process, employer and service provider agreements, and Individual Employment Plan (IEP), employment compensation and limitations, and health and safety standards. Employers and participants in work experience programs must meet program eligibility requirements for one or more of the funding source under WIOA formula funded programs.

Participant Compensation and Benefits

Subject to funding availability for the program year, the work experience fund allotment can be up to \$4,300 for In-School Youth and \$10,000 for Out-of-School Youth, which does not include fringe benefits. Please review the employer worksite agreement for details on wage, hours, and other employee benefits. Employers providing work experience must be in compliance with Section 6(a)(1) of the Fair Labor Standards Act of 1938 (29.U.S.C. 206(a)(1)) and applicable state or local minimum wage laws, with wage reflecting the higher minimum wage.

Health and Safety Standards

Grant recipient, service providers, employers, and program participants must adhere to federal, state, and local workplace health and safety rules and regulations under 29 CFR Parts 1904 and 1952.7. Working conditions for paid work experience participants shall be the same as employees in similar positions. When there is an employer-employee relationship, employers are expected to provide a safe working environment, and employees are expected to follow health and safety procedures, avoid workplace accidents, and mitigate hazardous substance exposure as described in the employers' Injury and Illness Prevention Program when performing job duties at the jobsite per requirements of

California Code of Regulations, Title 8, Section 3203. It is the responsibility of the jobsite supervisor and case manager to communicate clearly to program participants all workplace health and safety policies and procedures.

Workers' Compensation

Workers may be treated with first aid care provided by the jobsite for minor injury and seek emergency medical service for more serious/potentially life-threatening injury. Report workplace injury to the jobsite supervisor and case manager as soon as possible, and case managers must follow proper procedures for documenting cases of injury. In the event a worker become seriously injured or ill, either physically or mentally, as a result of performing a job, a worker may be entitled to workers' compensation benefits. Note that worker's compensation may not apply to work injury not reported within 30 days or to work injury or illness as a result of irresponsible behavior. For more information regarding workers' compensation, visit the State of California, Department of Industrial Relations, Division of Workers' Compensation website www.dir.ca.gov/dwc or call 1-800-736-7401.

Exceptions

Any exceptions to this policy must be approved by the work2future-Director, Program Manager, or the authorized representative of the WIOA Service Provider and documented in the participant file.

INQUIRIES

Please contact the work2future Administrator on duty, work2future.MIS@sanjoseca.gov, for any questions regarding this policy.