



Missouri Department of Higher
Education & Workforce Development

PY24 Tornado Work Experience Policy

Release Number—Program Year

Active:

June 2, 2025

Expiration Date:

Continuous, until further notice

SUBJECT:

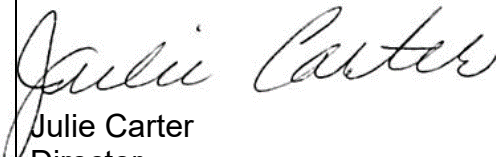
Work Experiences for Tornado Recovery

ATTACHMENTS:

- (1) **Attachment I-Worksite Agreement**
- (2) **Attachment II-Training Plan**

*This Policy is Official Guidance
of the Missouri Office
of Workforce Development*

ISSUING AUTHORITY:


Julie Carter
Director
Office of Workforce Development

RESCISSIONS:

None

REFERENCES:

Workforce Innovation and Opportunity Act (WIOA), Pub. Law 113-128, Sec.134(d)(5) [29 U.S.C. 3174(d)(5)].
U.S Department of Labor, Employment and Training Administration, Training and Guidance Letter [\(TEGL\) 19-16](#) Submitted under the Workforce Innovation and Opportunity Act (WIOA)," March 1, 2017.

- 1) WIOA sec. 134(c)(2)(A)(xii)(VII), Internship or Work Experience for Adults and Dislocated Workers
- 2) [20 CFR § 680.180](#) - What is an Internship or Work Experience for Adults and Dislocated Workers?
- 3) [20 CFR 680.170](#), [680.180](#), [680.530](#).
- 4) [TEGL 12-09](#), Joint Guidance for States Seeking to Implement Subsidized Work-Based Training Programs for Unemployed Workers

[20 CFR Part 680](#)—Adult and Dislocated Worker Activities under Title I of The Workforce Innovation And Opportunity Act:

- 1) Subpart A—Delivery of Adult and Dislocated Worker Activities Under Title I of the Workforce Innovation and Opportunity Act, sections 680.150, 680.190, and 680.195;
- 2) Subpart F—Work-Based Training, sections 680.830 and, 680.840; and
- 3) Subpart G—Supportive Services, section 680.900.

[UIPL 30-96](#)

SUMMARY:

This Policy is written to transmit the Office of Workforce Development's (OWD) guidance on Work Experiences for Tornado Recovery dislocated worker participants in accordance with the rules and regulations of Workforce Innovation and Opportunity Act of 2014 (WIOA), the WIOA Final Rule, Training and Employment Guidance Letters (TEGLs) published by the Employment and Training Administration of the U.S. Department of Labor (ETA), and policies of the Local Workforce Development Boards (LWDB).

BACKGROUND:

Work experience is applicable to all WIOA programs and a valuable tool to engage employers and to support job seekers in overcoming barriers to employment. Temporary Dislocated Worker Work Experiences are designed to help individuals establish a work history, demonstrate success in the workplace, and develop the skills that lead to entry into and retention in, unsubsidized employment.

The Dislocated Worker Work Experience activity is a contractual exchange between the WIOA service provider, the worksite employer, and the participant. It is not designed to replace an existing employee or position. Subrecipients should develop and place Dislocated Worker participants in Work Experiences that give participants the ability to learn and apply in-demand skills.

SUBSTANCE:

A Work Experience is an individualized career service and is a planned, structured learning experience that takes place in a workplace for a limited period of time¹. Worksite employers are critical partners that provide significant growth opportunities to dislocated workers through work experiences that give them the ability to learn and apply in-demand skills. Work experiences may be paid or unpaid, and may take place in the private sector, non-profit sector, or public sector.

- **Participant Eligibility**

All Dislocated Worker participants must meet program eligibility requirements, be enrolled into the respective statewide program, and must have received an assessment that documents the participant's need for, and benefit from, a Work Experience (i.e. little or no prior work experience, difficulty maintaining employment, displaced worker needing to learn new skills, etc.). The identified need from the assessment must be documented in a case note.

- **Maximum Hours**

A Dislocated Work Experience is allowable for up to 400 hours.

- **Compensation**

Participants enrolled in a paid work experience shall be compensated an hourly wage of \$20/hour. Participants shall be paid only for the hours worked during the work experience and the hours must be documented on the participant's work experience time sheet. Work Experience participants are not authorized to be paid for sick leave, vacations, or holidays and are not authorized to work overtime.

- **Worksite Employer Eligibility**

Employers must be licensed to operate in Missouri, be in good standing and must provide their Federal Employer Identification Number (FEIN). Additionally, employers must adhere to the following requirements:

- Must have safe and healthy working conditions with no previously reported health and safety violations that have been reported but have not been corrected; and

¹ [20 CFR 680.180](#).

- Must be compliant with all Equal Opportunity (EO) regulations; does not illegally discriminate in training or hiring practices because of race, color, sex, national origin, religion, physical or mental disability, political beliefs or affiliations or age²; and
- Shall not terminate the employment of any of their current employees or otherwise reduce its workforce either fully or partially (such as reduction in hours or benefits) with the intention of filling the vacancy with a Dislocated Worker participant or as the result of having Dislocated Worker participant³; and
- Shall not allow the Dislocated Worker activity to result in the infringement of promotional opportunities of their current employees⁴; and
- Shall not allow the participant to be involved in the construction, operation, or maintenance of any part of any facility that is used, or to be used, for religious instruction or as a place for religious worship⁵.

- **Employer of Record Requirements**

- The employer of record must carry workers' compensation to the extent available, and if the States workers' compensation law does not apply, insurance coverage must be secured for injuries suffered by the participant in the course of such work experience⁶;
- Ensure work experiences will be conducted in a safe and sanitary work environment;
- Ensure all work experience participants have adequate worksite supervision;
- Must conduct a WIOA worksite orientation with the worksite employer and the participant prior to the start date; and
- Must complete the federal E-Verify requirement within three (3) business days of the individual's hire/start date.

- **Case management and Documentation**

The following must be completed and documented prior to the start date of the work experience:

- Comprehensive Assessment identifying the need and ability for a successful completion of a work experience;
- Documentation of an Employer Pre-award Review;
- EO-15 signed by worksite employer;
- Completed and signed Worksite Agreement (good for one year);
 - Work experience dates must fall within the dates of the agreement;
- Detailed Training Plan;
- Federal E-Verify documentation completed within three (3) business days of the individual's hire/start date; and
- Work Experience Starting Case Notes⁷, must include:
 - Name of worksite employer;

² [WIOA Sec. 188\(a\)\(2\).](#)

³ [20 CFR 683.270.](#)

⁴ [20 CFR 683.270.](#)

⁵ [WIOA Sec. 188\(a\)\(3\).](#)

⁶ [20 CFR 683.280.](#)

⁷ [Case Notes](#)

- Employer of record;
- Job title;
- Begin date and projected end date;
- Total number of hours approved for the work experience;
- Hourly wage; and
- Funding source(s).

The following documents must be uploaded and case notes must be entered in the case management system throughout the duration of work experience until the final payment to the participant is made:

- Completed timesheets, signed by the participant and the worksite supervisor;
- Payroll documentation, include a copy of the pay stub and verification of payment to the participant;
- Case Notes⁸, describing the participant's progression in the work experience; and
- Work Experience Timesheet Payment Case Notes, to include:
 - The payroll or monthly invoice period;
 - Number of hours worked;
 - Gross wages for the pay period;
 - Number of hours remaining; and
 - Funding source(s).

• **Monitoring Requirement**

The WIOA service provider's oversight of the paid and unpaid work experience participant's training and payroll records may be reviewed by Federal, State, and local fiscal and program monitors. Such monitoring may include, but is not limited to, on-site visits and phone/email communication with the employer/trainer and participant, to review progress and provide technical assistance as needed.

• **Exemptions from Unemployment Insurance**

Participants in work-relief or work-training programs authorized by WIOA, or any other programs funded in whole or in part by Federal, State, or local awards or grants, are exempt from UI wage reporting requirements if the employer of record is:

- The State, or any (local) political subdivision of the State, or any instrumentality (board, commission, etc.) of the same; or
- A not-for-profit corporation, community chest fund, or foundation organized and operated exclusively for religious, charitable, scientific, testing for public safety, literary, or educational purposes, or for the prevention of cruelty to children or animals, or other organization as described in Section 501(c)(3) of the Internal Revenue Code.

For the purposes of this exemption, DOL's guidance defines work-relief and work-training programs thus:

- Conditions for all work-relief and work-training programs require:

⁸ [Case Notes](#).

- The employer-employee relationship is based more on the participants' and communities' needs than on normal economic considerations (such as increased demand or the filling of a bona fide job vacancy); and
- The products or services are secondary to providing financial assistance, training, or work experience to individuals to relieve them of their unemployment or poverty or to reduce their dependence on various measures of relief, even though the work may be meaningful or serve a useful public purpose.
- Both work-relief and work-training programs also must have one or more of the following characteristics:
 - The wages, hours, and conditions of work are not commensurate with those prevailing in the locality for similar work; or
 - The jobs did not, or rarely did, exist before the program began (other than under similar programs) and there is little likelihood they will be continued when the program is discontinued; or
 - The services furnished, if any, are in the public interest and are not otherwise provided by the employer or its contractors; or
 - The jobs do not displace regularly employed workers or impair existing contracts for services.
- For work-relief programs only, the qualifications for the jobs must take into account, as indispensable factors, the economic status (i.e., the standing conferred by income and assets) of the applicants.

ROLES, RESPONSIBILITIES, and REQUIRED ACTIONS:

Effective immediately, all subrecipients, Local WDB Directors, and Missouri Job Center Leadership should inform Frontline Workforce System Staff of these requirements.

TIMELINE:

All Missouri Workforce System Staff—Implementation of these rules.....Immediate and Continuous

INQUIRIES:

Please direct all questions or comments regarding this policy document to dwdpolicy@dhewd.mo.gov. All active OWD Policies are available at jobs.mo.gov/owdissuances. Expired/rescinded Policies are available on request.

For information about [Missouri Office of Workforce Development](#) services, contact a [Missouri Job Center](#) near you. Locations and additional information are available at jobs.mo.gov or 1-(888)-728-JOBS (5627).

Missouri Department of Higher Education and Workforce Development is an [equal opportunity](#) employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Missouri Relay Services at 711.