



Missouri Division of Workforce Development
DWD Issuance 11-2015

Issued: December 22, 2015
Effective: December 22, 2015

Subject: Workforce Innovation and Opportunity Act (WIOA) Work Experiences for Youth Participants

1. Purpose: This Issuance is written to transmit the Division of Workforce Development's (DWD) Guidance on Work Experiences for WIOA Youth Participants.
2. Background: WIOA places a priority on quality Work Experiences for Youth participants. DWD and the Local Workforce Development Boards (Local Board) should develop and place Youth and Young Adults in Work Experiences which support their chosen career pathways, and facilitate their transition into employment and industries that are in-demand. This policy supports that objective.
3. Substance: With the goal of engaging WIOA Youth participants in meaningful Work Experiences, federal legislation requires Local Workforce Development Areas (LWDA) to utilize a minimum of 20 percent of their program funding for Work Experiences. Recognizing that engaging Youth in the labor force is an indicator of future success, WIOA defines Work Experience as a planned learning experience that takes place for a limited amount of time. It can be paid or unpaid, and take place in the private sector, non-profit sector, or public sector. A Work Experience must include both occupational and educational elements. All Fair Labor Standards Act (29 U.S.C. 201, et. seq) regulations, WIOA Section 181(b), Equal Opportunity (WIOA Section 188) guidance, and - where applicable - Child Labor Laws apply to WIOA Work Experiences.

WIOA outlines four types of Work Experiences suitable for the development and placement of enrolled Youth and Young Adults. These include: Pre-Apprenticeship programs, On-the-Job Training (OJT), Internships and Job-Shadowing, and Work Experiences available throughout the year, including Summer employment. Every Youth placed in a Work Experience must have a Training Plan which outlines the participant's job duties on the worksite and the skills to be learned. Service Notes also must accompany the development and the placement of a Youth in a Work Experience activity. This is imperative to support staff decisions.

WIOA requires that academic and occupational education be a component of a Youth's Work Experience. With that in mind, Local Boards must take steps to ensure that Work Experiences are designed to support the participant's education and career goals. Although the workforce system realizes that placing young people in employment is central to their long-term success, it is with the recognition that the development of academic skills is critical to preparing young people for tomorrow's job market.

The type of academic and occupational education in which the Youth participates will vary based on the participant's academic skill level. Youth, who are enrolled in high school, Adult Education and Literacy classes, post-secondary education and occupational skills training concurrent with placement in Work Experience have met the academic and occupational

education Work Experience requirement. However, there is no prohibition of enrollment in additional educational programs if the Youth meets the eligibility requirements. Local Boards should assist the Youth in obtaining industry certifications that are integral stepping stones to their identified career pathway, whenever appropriate, to reach the goals identified on the Individual Service Strategy (ISS).

DWD continues to support WIOA Youth participation in the preparation and remediation for the skills required to obtain the National Career Readiness Certificate.

Pre-Apprenticeship Program

Pre-Apprenticeship is defined at 20 CFR 681.480 (and in TEN 13-12) as a program that includes a set of strategies developed to prepare individuals to enter a Registered Apprenticeship program, and has a documented partnership with at least one Registered Apprenticeship program. The U.S. Department of Labor highlights the characteristics required for Pre-Apprenticeship program. They include:

- Training provided to participants based on a curriculum that is consistent with and supported by industry standards and endorsed by the Registered Apprenticeship partner(s). The curriculum is designed to prepare Youth participants to enter one or more Registered Apprenticeship(s) programs.
- Approaches that seek to increase the number of participants that are from under-represented, low-skilled, and disadvantaged populations in a Registered Apprenticeship(s), thereby ensuring after Pre-Apprenticeship(s) completion the participant is considered for, and meets the minimum entry requirements to one or more Registered Apprenticeship program. Policies should include outreach efforts to under-represented populations in a Registered Apprenticeship(s), and educational, and pre-vocational efforts to increase the acceptance rate to a Registered Apprenticeship(s).
- Participants are provided with Supportive Services to increase the likelihood of Pre-Apprenticeship(s) completion.
- Advocates for the utilization of Pre-Apprenticeship(s) program and Registered Apprenticeship(s) partners as a mechanism to develop a more skilled labor force.
- Training provided to participants that emulates real-life occupational conditions that meets the standards of the Registered Apprenticeship(s) partner, and meets federal and industry supervision and safety requirements. However, this training must not displace any paid employee.
- When possible, collaboration between Pre-Apprenticeship(s) program and Registered Apprenticeship(s) partner leads to direct entry into a Registered Apprenticeship(s) after completion of the Pre-Apprenticeship program(s). This would be documented through a formalized agreement.

Pre-Apprenticeships are a viable method to expose Youth participants to formal training that can lead to an in-demand occupation. Although the skilled trades represent industries in which to establish a Pre-Apprenticeship program, Local Boards are encouraged to explore relationships with industries not traditionally served through an Apprenticeship model. Participation in a Pre-Apprenticeship may meet the academic and occupational requirement for a Work Experience in those instances where a Youth is required to raise literacy levels to enter a Registered Apprenticeship. DWD supports strong affiliations with economic development agencies, labor management organizations, community colleges, and Registered Apprenticeship partners. Target populations for Pre-Apprenticeship programs are high school graduates, eligible veterans, women and minorities, youth with disabilities, and those with limited work experience or marketable skills.

On-the-Job Training (OJT)

OJT is a Work Experience that consists of occupational training provided to a participant through a contract with an employer. The employer receives reimbursement for the costs associated with the training and supervision of the employee. The reimbursement can amount to 50 percent of the participant's wages while working for the OJT employer. WIOA allows OJT to be utilized as a Work Experience for enrolled Youth. OJT contracts with an employer should be limited to the duration necessary for the participant to become competent in the skills required to perform the position. In determining the time length of the Youth's OJT assignment, local staff must review the O*NET specific vocational preparation level of the trainee position, the skills and abilities of the Youth, and the knowledge, skills, and abilities (KSAs) of the OJT employer's position, i.e., skills gap analysis. An assessment of the Youth participant's interests, skills, and abilities is required. OJT Training Plans should be written based on the participant's career and occupational goals, the ISS, and prior Work Experience. Local Areas are strongly encouraged to place Youth participants in OJT opportunities that are in high-growth industries, supported by regional Labor Market Information. OJT employer agreements and Training Plans are to be developed, implemented, and monitored in accordance with the guidelines established in the DWD OJT Policy and Procedures Manual.

An OJT employee must never replace an existing employee, and the participant's compensation should be equivalent to other workers employed in the same occupation by the employer but who are not recipients of OJT funding. Permanent, unsubsidized employment is the goal for those that successfully complete an OJT Training Plan. The local program operator must not consider a training agreement with an employer who has previously exhibited a pattern of failing to provide OJT participants with continued long-term employment with wages, benefits, and working conditions that are equal to those provided to regular employees who have worked a similar length of time and are doing the same type of work. [WIOA Sec. 194(4) and 20 CFR 680.700(b), as proposed]. An OJT should be targeted to Older Youth and Young Adults, recent graduates of post-secondary schools and training programs, and eligible veterans. OJT is not to be utilized for Youth who have not reached age 18 and are not recipients of a high school diploma or its equivalent.

Internships and Job Shadowing

Internships are planned, learned experiences that are designed to be conducted in the workplace for a specific period of time. WIOA Youth and Young Adults can be placed at an Internship site in the private, non-profit, and public sector. It can be a paid or unpaid Work Experience. (There are specific U.S. Department of Labor Wage and Hour Division guidelines for unpaid internships, based on the Fair Labor Standards Act [29 U.S.C. 201 et. Seq]. Only place Youth in unpaid internships that meet the criteria in the Division's Fact Sheet #71 [FS 71; April 2010; <http://www.dol.gov/whd/regs/compliance/whdfs71.pdf>].) With an Internship, participants are exposed to a work environment, have an opportunity to develop occupational skills, and increase their future employability. Internships allow WIOA Youth to utilize their academic experience in the work environment and prepare themselves for entry-level positions within a specific career pathway. A Training Plan for an Internship should be developed and agreed upon by the participant, employer, and career counselor. An Internship must be designed for a participant based on an identified career and occupational goal. While securing employment following the completion of the Internship is desirable, it is not a requirement. Youth participants that are enrolled in secondary or post-secondary schools or are recent secondary and post-secondary graduates should be targeted for Internships.

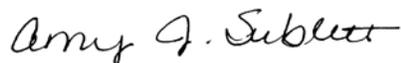
Job Shadowing is workplace-based career exploration. It allows the Youth an opportunity to follow and observe a professional employee who is working in the Youth's chosen career field. Job Shadowing is an effective mechanism to enable a WIOA Youth the opportunity to gain exposure to a specific occupation or industry. In some instances, Job Shadowing can be a facet of a quality internship opportunity. Yet it also serves as a tool for the Youth participant, and is offered to provide them a more adequate representation of the knowledge and capabilities required to perform a job. Through Job Shadowing, the Youth receives practical experience that exposes them to the work environment and the job conditions of an occupation in which they have an expressed an interest. Youth and Young Adults who are primary targets for Job Shadowing opportunities include high school students, Youth with disabilities, and Youth with limited or no work experience.

Work Experiences, including Summer Employment

The WIOA Youth activity, Summer Employment opportunities, and other employment opportunities available throughout the school year, is considered one service. This is an important distinction from previous Workforce Investment Act legislation which divided Work Experience and Summer Work Experience into separate program activities. Local staff should always seek to place Youth participants in an employment opportunity that is similar to their career interests or supports the career pathway documented on their ISS. It is important to note, however, there may be instances where this is not possible or it is a Youth's initial venture into the labor force. In those circumstances, local staff may find it necessary and practical to place the Youth at a worksite where the participant would not only secure employment and earn wages, but also facilitate the development of job readiness skills fundamental to success in the workplace.

4. Action: This Issuance is effective immediately. Local Boards should ensure that the WIOA Youth Work Experiences discussed within this Issuance are incorporated within their LWDAs. This guidance should be distributed to all parties with responsibility to and oversight of Youth Work Experiences.
5. Contact: Please direct comments or questions regarding this Issuance to Randy Cottrell, Manager, Adult and Youth Programs, at 573-526-8242 or randy.cottrell@ded.mo.gov.
6. Reference: Workforce Innovation and Opportunity Act of 2015 (Pub Law 113-128) and the U.S. Department of Labor's Proposed Rules (20 CFR 601, et seq., as proposed), and Training & Employment Notice 13-12.
7. Rescissions: None.
8. Attachments: None.

The Missouri Division of Workforce Development is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Missouri TTY Users can call (800) 735-2966 or dial 711.



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