

## Youth Work Experience Policy

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**Approved:** June 14, 2019

**Purpose:** To provide the Workforce Innovation and Opportunity Act (WIOA) requirements for Youth (YTH) program Work Experience.

**Policy:** WIOA defines a Work Experience (WEX) as planned, structured learning activities that take place in a private for-profit, non-profit, or public sector workplace in conjunction with academic and occupational education that may occur concurrently or sequentially with the workplace learning. Based on the identified needs and interests of the WIOA Youth program participant as identified in his/her Individualized Service Strategy (ISS) document (NW-36), a WEX must fall into one of the following four (4) categories:

- Employment opportunities during the summer and other employment opportunities available throughout the school year; or
- Pre-apprenticeship programs; or
- Internships and/or job shadowing; or
- On-the-Job Training (OJT) opportunities.

When the Service Provider places a Youth participant into an OJT, the parties involved must follow all provisions of the Nevadaworks On-the-Job Training Policy (NWP-3501).

A WEX generally is to last no more than twelve (12) weeks. This may include one or multiple WEX placements. Extensions past twelve (12) weeks may be requested in writing to Nevadaworks, if a WEX participant needs more time to learn relevant skills. A WEX may be paid or unpaid. Labor standards apply in any work experience where an employee/employer relationship exists, as defined by the Fair Labor Standards Act or applicable State law.

### Youth Participant Eligibility and Role

Youth who meet the WIOA Title I Youth program eligibility criteria, have received at least one of the fourteen (14) required Youth program elements, and have identified WEX in their ISS documents as a training need are eligible to enter a WEX. Each participant is required to sign and abide by a WEX Placement Agreement developed with the Service Provider and Training Provider/Employer. This agreement is to be either the Nevadaworks WIOA Youth Work Experience (WEX) Placement Agreement (NW-26) or an equivalent form that is preapproved by Nevadaworks.

### Service Provider's Role

The WIOA Service Provider is responsible for establishing WEX components, including academic and occupational education components which must be listed in a participant's ISS, with a local Training Provider/Employer who is interested in assisting Youth in career exploration and skill development. This responsibility includes determining the appropriateness of a given WEX Training Provider/Employer, matching the Youth participant to the job site, and developing the WEX Placement Agreement. When matching Youth to a WEX, consideration must be given to the demonstrated aptitudes,

interests, and maturity of the participants. The Service Provider also must conduct a post-WEX interview with the participant to evaluate if all planned WEX components were provided.

The Service Provider must also track and report program funds spent on a paid and unpaid WEX. A full list of allowable WEX expenditures is found in TEGL 21-16. Other Service Provider responsibilities are described in State Compliance Policy 2.6.

### **Training Provider/Employer Eligibility and Role**

A WEX may be offered by a Training Provider/Employer who is interested in assisting Youth in career exploration and skill development. The Training Provider/Employer is responsible for providing high quality training and sufficient supervision of Youth participants in safe, healthy working conditions that comply with applicable federal, State, and local laws. Progress reports or evaluations of the Youth participants and invoices for paid WEX will be submitted to the Service Provider on a timely basis. Additionally, each Training Provider/Employer must:

- Be current in unemployment insurance and worker's compensation taxes, penalties, and/or interest or related payment plan.
- Not currently be disbarred or suspended from federal contracts.
- Agree to pay a participant in a paid WEX wages that are at least equal to the federal, State or local minimum wage, and offer the same benefits as those of other employees in the same occupation with similar experience.
- Agree that participant's working conditions will be the same as similarly situated employees.

### **Documentation and Monitoring Requirements**

Requirements for WEX participant file contents and Management Information System (MIS) Case Note documentation are listed in State Compliance Policy 2.6. At a minimum, documentation will include a complete ISS (NW-36), signed WEX Placement Agreement (NW-26 or preapproved equivalent) or OJT Contract (NW-104 or preapproved equivalent), job description, progress reports, and payroll records.

### **References:**

**TEGL 12-09** Joint Guidance for States Seeking to Implement Subsidized Work-Based Training Programs for Unemployed Workers

**TEGL 21-16** Third Workforce Innovation and Opportunity Act (WIOA) Title I Youth Formula Program Guidance

**SCP 2.6** Youth - Work Experience (WEX)/Internships, Pre-Apprenticeship, Registered Apprenticeship (RA) and On-the-Job Training

**Nevadaworks** On-the-Job Training Policy NWP-3501

**Nevadaworks Forms:** NW-36, NW-26, NW-104

[Fair Labor Standards Act](#)

[U.S. Department of Labor Wage and Hour Division](#)