

Cape Fear Local Policy No. P-WDB-004-2022

Subject: CFWDB Policy Subsidized Internship/Work Experience for WIOA Title 1 Participants

Reference: North Carolina Department of Commerce Division of Workforce Solutions Operational Guidance Number OG 24-2021

Purpose: To transmit policy on the use, documentation, and tracking of Workforce Innovation and Opportunity Act (WIOA) Title 1 funds in the provision of Work Experience (WEX) opportunities for Adult, Dislocated Worker, and Youth Participants.

Policy: According to Federal Register 20 CFR Parts 603, 651, 652, et al. Workforce Innovation and Opportunity Act; Final, Part 680, Subpart A – 680.180 for the purposes of WIOA sec. 134(c)(2)(A)(xii)(VII) and Part 681, Subpart C – 681.600 for the purposes of WIOA sec. 129(c)(2)(C), an internship or work experience is a planned, structured learning experience that takes place in a workplace for a limited period of time. Internships and work experience may be paid or unpaid, as appropriate. A work experience or internship may take place in the private for-profit sector, the non-profit sector, or the public sector. 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.

All WIOA Title I eligible participants, based on needs identified by an objective and comprehensive assessment, including, but not limited to, assessments of basic skills, prior work experience, employability, occupational skills, supportive service needs, interest and aptitudes, may participate in a subsidized internship/work experience, if it determined that a participant would benefit from this service. Individuals that may be determined to have a need may include, but are not limited to, those with little to no work experience, individuals with occupational skills training but no work experience in a specific occupation/career, and individuals that need career exploration. All information, including assessment information and goals, must be included in the Individual Employment Plan/Individual Services Strategy (IEP/ISS).

All local area Workforce Development Boards (WDBs), including the Cape Fear WDB, have two years to expend the current program year Title 1 Youth formula funds and attain a twenty percent (20%) expenditure rate.

Action: All WIOA Title I Service Providers are to comply with the attached WIOA subsidized internship/work experience procedures (Attachment A) for all WIOA Title I participants. A copy of the job description must be submitted for review to the Local Area prior to the participant beginning work. All worksites forms (worksites agreement, job description, supervisor orientation, worksites checklist, youth progress evaluation, timesheets and modification form) must be uploaded into NCWorks Online.

Effective Date: June 1, 2022

Expiration Date: Indefinite

Contact: Cape Fear Workforce Development Director

Distribution: CFWDB WIOA Providers
CFWDB Staff
NC Division of Workforce Solutions

Attachments: **Attachment A: DWS Operational Guidance Number OG 24-2021**
Attachment B: PR-WDB-008-2018 Subsidized internship/Work Experience Procedures
Attachment C: F-WDB-009-2018 Worksite Agreement
Attachment D: F-WDB-013-2018 Job Description/Training Outline
Attachment E: F-WDB-014-2018 Worksite Supervisor Orientation
Attachment F: F-WDB-015-2018 Participant Evaluation
Attachment G: F-WDB-016-2018 Participant Timesheet
Attachment H: F-WDB-017-2018 WEX Agreement Modification
Attachment I: F-WDB-018-2018 Staff Tracking Sheet

ATTACHMENT

“A”



**NORTH CAROLINA DEPARTMENT OF COMMERCE
DIVISION OF WORKFORCE SOLUTIONS**

DWS Operational Guidance Number: OG 24-2021

Date: September 14, 2021

**Subject: Guidance on the Provision of Workforce Innovation
and Opportunity Act (WIOA) Work Experience
(WEX) Opportunities**

From:

**Chet Mottershead
Assistant Secretary for Workforce**

Purpose: To provide Local Area Workforce Development Boards (WDBs) guidance regarding the use, documentation, and tracking of WIOA Title I funds in the provision of WEX opportunities for youth, adult, and dislocated worker participants.

This Operational Guidance rescinds Policy Statement PS 10-2017 and clarifies that Local Area WDBs have two years to expend current program year Title I Youth formula funds and attain a 20% expenditure rate. This Operational Guidance and the procedures herein supersede all previous policy, procedures, and guidelines regarding WEX Opportunities.

Background: WEX Training is a planned, structured learning experience that occurs in a workplace for a specified, limited period of time. The purpose of the WEX activity is to provide the WIOA Title I participant with opportunities for career exploration, skill development, and reinforcement of the work ethic.

WEX Training may include paid or unpaid wages and may be in the private for-profit sector, the non-profit sector, or the public sector. Under WIOA, paid and unpaid youth work experiences that have academic and occupational education as a component of the WEX can include a number of activities including summer employment, pre-apprenticeship, internships, job shadowing, and on-the-job training (OJT). Adult and Dislocated Worker WEX must be linked to a career goal and based upon the participant's interest and aptitude.

The intent of WEX is not to benefit the employer, although the employer may, in fact, gain from the activities performed by the participant and in some cases may result in an employment offer. WEX activities shall not reduce current employees' work hours, displace current employees or create a lay-off of current employees, impair existing contracts or collective bargaining agreements, and/or

infringe upon the promotional opportunities of current employees as defined in the Fair Labor Standards Act (FLSA).

Action: Local Area WDBs and/or service providers may use the following guidance and forms provided in the provision of WEX opportunities to adults, dislocated workers, and youth enrolled in WIOA services. All Local Area WDBs must have an approved WEX Policy. At a minimum, policies must include how the WEX hourly wage rate is determined, maximum training hours, assessment method(s), how a participant's need for WEX is determined, a worksite agreement form, a process to evaluate the performance of the WEX participant, and youth policies must state the need for academic and occupational education.

Effective Date: Immediately

Expiration: Indefinite

Contact: DWS Planner

Attachment 1: WIOA Work Experience (WEX) Guidelines

Attachment 2: Sample Work Experience (WEX) Worksite Agreement

Attachment 3: Sample Work Experience (WEX) Agreement: Trainee Evaluation

WIOA Work Experience (WEX) Guidelines

WEX Assessment and Training Plan

The service provider shall ensure that WEX training for WIOA Title I eligible participants is appropriate based on the needs identified by an objective and comprehensive assessment and as documented in the Individual Employment Plan/Individual Service Strategy (IEP/ISS). The WEX IEP/ISS should clearly indicate how this activity is going to help the participant move from the WEX to unsubsidized employment or on to further training. Documentation of the need for work experience that is tied to and supported by academic and occupational education and the objectives of the work experience must be detailed in the IEP/ISS and WEX Training Plan, if one is utilized. However, adult and dislocated worker participants are not required to participate in academic and occupational education activities while enrolled in work experience.

Periodic evaluation of the participant's learning and attainment of skills during the work experience, including information about any incentive payments made, should be documented in case notes in NCWorks Online. When possible, it is strongly encouraged that the WEX and its associated training components be directly tied to the attainment of a credential and documented in the IEP/ISS. Program providers should use either O*NET or other identified programs when developing the competencies to be learned and evaluated in the WEX. The IEP/ISS should include the job skills needed, training hours, and estimated start and end date. Youth academic and occupational components must be included.

The maximum duration of the work experience should be specified per program year. The determination of the duration of the WEX should be based on the academic and occupational competencies the WIOA participant needs to develop or refine and must be specified in the IEP/ISS and WEX Training Plan, if one is utilized. Academic skills training could be basic skills education or high school equivalency training. Occupational skills competencies may be gained through the WEX, Human Resources Development (HRD) classes or through courses specific to the job/career/occupation in which the individual is having the work experience.

A WEX Training Plan, if developed in conjunction with the IEP/ISS, allows service providers to monitor and evaluate the work experience. It serves as a baseline when establishing whether the needs of the WIOA participant and the employer's expectations of training and development have been met.

Youth Work Experience Opportunities

Pursuant to WIOA section 129(c)(2)(C), Local Area WDBs are required to offer youth programs that involve paid and/or unpaid work experiences that have as a component both 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. Work experiences provide the youth participant with opportunities for career exploration and skill development. These experiences may include:

- (1) summer employment opportunities and other employment opportunities available throughout the school year;
- (2) pre-apprenticeship programs;
- (3) internships and job shadowing; and
- (4) OJT opportunities as defined in WIOA Section 3(44) and OJT Operational Guidance.

Recognized best practices for engaging youth in work experiences:

- (1) Programs prepare youth for work experiences through training and guidance in soft skills. Youth programs engage young adults in training or class activities that develop these soft skills. This may include learning about professional work culture, working in teams, interpersonal skills, and communication.
- (2) Some programs also train youth in technical skills or hard skills needed for specific career pathways or work settings. Youth will learn skills specific to an occupational sector.
- (3) Program staff devote significant time to developing and maintaining relationships with employers. Dedicated staff (job developers) may handle all aspects of employer relations, from making an initial inquiry about partnering, to establishing worksite agreements with employers, to responding to any employer concerns during the work experience.
- (4) Programs clearly communicate what is expected of employers, youth, and families before the start of a work experience to include mentoring the youth and providing feedback to the program coordinator. Some programs address the importance of work in life, how the program helps youth make a successful transition to work, what employers expect of workers, and how to appropriately interact with employers.
- (5) Programs carefully match youth to work experience opportunities based on individual interests and skills. Making the right match increases the success of the work experience by ensuring that youth feel motivated from the start to participate fully.
- (6) Programs provide on-going support to youth and employers throughout the work experience. To ensure a work experience is successful for everyone involved, programs maintain communication with both the youth and employers from the first to the last day of the work experience. While some programs have daily or weekly contact with youth to monitor their progress, other programs conduct first-week, midpoint, and last-week work site visits at a minimum.

Youth Work Experience – 20% Spending Requirement

Local youth programs must expend not less than 20% of the Title I youth funds allocated to them to provide in-school youth and out-of-school youth with paid and/or unpaid work experiences.

Local WIOA Title I youth programs must track program funds spent on paid and unpaid work experiences, including wages and staff costs for the development and management of work experiences, and report such expenditures as part of the local WIOA youth financial reporting.

The percentage of funds spent on work experience is calculated based on the total local area youth funds expended for work experience, rather than calculated separately for in-school and out-of-school youth. The 20% spending requirement is calculated after administrative costs have been subtracted from the total amount of youth funds. Each year's allocation has a two-year period of performance. Therefore, Local Area WDBs have two years to spend 20% on WEX. Please reference CPS 09-2021 for additional information.

Adult/ Dislocated Worker Work Experience

Unlike WIOA Title I Youth programs, WIOA Title I Adult and Dislocated worker programs do not have a minimum expenditure rate. While WEX is used as a resume builder and learning experience for youth, Adult/Dislocated Worker WEX focuses on learning new transferrable skills and enhancing employability.

Wages and Stipends

Individuals participating in a work experience opportunity must be compensated at the same rates, including periodic increases, as trainees, or employees who are similarly situated in similar occupations by the same employer and who have similar training, experience, and skills. The rates may not be lower than the higher of the federal or state minimum wage.

A flat rate wage applied to all individuals participating in a paid work experience opportunity (e.g., \$8.00/hour for all participants) would not be allowed if there are trainees or employees who are similarly situated in similar occupations with the same employer who receive wages that differ from the flat rate wage.

Wage requirements under the FLSA apply to all participants, including youth employed under WIOA. The FLSA applies to the extent that the activities performed in the work experience constitute employment. Local Area WDBs must determine whether work experience constitutes training as opposed to employment. Please contact a Certified Public Accountant for more information.

Choosing a Worksite

Matching a WIOA participant with the appropriate worksite is critical to a successful WEX job assignment. Worksite supervisors need to have a clear understanding of the objectives of the WEX job assignment and realistic expectations of the work products and productivity that a WIOA participant may demonstrate. The participant must have adequate supervision, as any other entry-level employee. The worksite must be willing to allow Board staff, the North Carolina Division of Workforce Solutions and/or U.S. Department of Labor (USDOL) to perform onsite monitoring to ensure compliance with the worksite agreement, as well as, to monitor the progress of the participant.

WDBs should use discernment when choosing worksites. When choosing employers, analyze the “value-added” contributions an employer is willing to make to the experience for the participant. Examples of such contributions are structured development/refinement of work readiness skills, provision of on-site educational services, and exposure to enhanced skill training and mentoring.

The DWS strongly discourages the practice of placing participants in WEXs located at the board office, career center, or administrative entity due to the potential of conflicts of interest. Placement at these locations should only be allowed where there is specific documentation in the file that the particular experience meets the participant’s career goals and skills needs AND there is no other placement opportunity available.

Skills Analysis/WEX Training Plan Development

An individualized WEX skills analysis must be performed to determine the acquisition of skills that the participant does not already possess. Skills the participant may have acquired from previous work or life experiences are potentially transferrable and can be used in every occupation, regardless of the type of work. Transferrable skills are unlike job-related skills, which tend to be used only in one type of work.

This analysis will contain occupationally specific skills that the employer requires for competency in the WEX occupation. An analysis of the trainee's prior work history, transferrable work skills, and the job skills gained must be compared to the job skills/job description the employer requires in the WEX occupation. The resulting gap in skills will be the basis for the development of the WEX.

There are a number of assessment tools available that may be used to conduct a skills gap analysis and provide adequate documentation of the process utilized. These include Prove It!™, an Internet-based assessment tool used to determine an individual's level of skills in a particular occupation and to document skill deficiencies, as well as the O*NET Online website and www.myskillsmyfuture.org which have both been developed by the USDOL.

The sample WEX Trainee Evaluation Form may also be used at the conclusion of training to document the mastery of the required skills. Completion of the final skills evaluation section of the form signals the successful completion of the WEX.

The Worksite Agreement

There must be a WEX Worksite Agreement between the service provider and the employer that articulates the learning that is to take place, the length of the WEX, and the academic and/or occupational competencies to be obtained. The Worksite Agreement must be completed and signed prior to the start of the WEX. The service provider will use a standardized Worksite Agreement template (sample provided as Attachment 2) developed by the WDB staff. Additionally, the service provider must provide documentation that the employer received formal WEX training.

The purpose of the worksite agreement is to establish a formal training relationship with a worksite, to specify the responsibilities of each party to the agreement, and to provide a successful, enriching WEX job experience for the WIOA participant. A signed original of the Worksite Agreement should be on file at the worksite and the provider should maintain all WEX documents and case notes in NCWorks Online.

The following items are the minimum required terms and conditions of a Worksite Agreement. Other specifications or terms specific to the worksite may be added as needed.

Work Experience (WEX) Contract Requirements

- 1) WEX contracts require that the wages paid to participants be at least the prevailing entry wage for any specific occupation in the community.
- 2) The employer must comply with requirements of the Civil Rights Act with respect to equal opportunity in employment for the WEX position, as well as comply with all federal, state, and local laws.
- 3) The WIOA Service Provider or WDB must have Workers' Compensation Insurance coverage and make federal and state tax withholdings as required by law, as applicable. In addition, the individual trainee payroll tax records must be maintained and available for review for a minimum period of three years after the end of the training period. (The North Carolina Workers' Compensation Act requires that all businesses that employ three or more employees, including those operating as corporations, sole proprietorships, limited liability companies and partnerships, obtain Workers' Compensation Insurance or qualify as self-insured employers).

- 4) Conditions of employment and training will be in full accordance with all applicable federal, state, and local laws (including but not limited to health and safety laws), and be appropriate and reasonable with regards to the type of work undertaken and the proficiency of the participant
- 5) The employer must certify that the participant will not displace any regular employee of the employer and that no person was displaced as a result of the relocation of the current business within the previous 120 days of signing the WEX Worksite Agreement.
- 6) The WEX employer will agree to adhere to the local WDB's grievance process if a complaint arises in connection with the WEX participant and/or the training.
- 7) WEX participants will not be employed to carry out the construction, operation or maintenance of any part of a facility that is used or to be used for sectarian instruction or as a place for religious worship or be required to participate in religious activities.
- 8) Participants may not enter a WEX position if a member of his/her family is engaged in an administrative capacity with the WEX employer, including a person with selection, hiring, placement, or supervision responsibilities for the WEX trainee.
- 9) The provider must certify that neither the employing company nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or excluded from participation by any federal department or agency.
- 10) A participant may not be trained under a WEX Worksite Agreement at a particular employer if:
 - a) any other individual is on layoff from the same or substantially equivalent job;
 - b) the employer has terminated the employment of any regular, unsubsidized employee, or otherwise caused an involuntary reduction in its workforce with the intention of filling the vacancy so created with the WIOA participant; or
 - c) the job is created in a promotional line that infringes in any way on the promotional opportunities of currently employed workers.

**Workforce Innovation and Opportunity Act (WIOA)
Work Experience (WEX) Worksite Agreement**

This Agreement is made between _____ (WIOA Title I Service Provider) and _____ (WIOA Worksite) a **public** **non-profit** or **private for profit business or organization** to provide subsidized or unsubsidized internship/work experience to eligible youth, adults, and/or dislocated workers participating in the [Local Area Workforce Development Board name] Workforce Development Program, authorized and funded under the Workforce Innovation and Opportunity Act (WIOA). Under this Agreement, participants will be provided a short-term work experience which is valuable and meaningful for both the participant and the organization/worksite.

Work Experience job assignments will be consistent with each WIOA participant's capabilities and interests and in an occupational field or specific job in which he/she has minimal or no prior work experience. WIOA-funded Work Experience job assignments are expected to help individuals gain the skills and experience they need to succeed in the workplace and obtain unsubsidized employment.

Term: This agreement will take effect on _____ [date] and terminate no later than _____ [date].

This Worksite Agreement provides the following assurances:

1. There will be sufficient, meaningful work to keep WIOA participants fully occupied during work hours;
2. Work will be conducted in a safe work environment;
3. There will be adequate full-time supervision of each WIOA participant by qualified supervisors;
4. The Service Provider or WDB will obtain Worker's Compensation Insurance to cover all WIOA participants engaged in internship or work experience at a worksite;
5. The participating Worksite will notify WIOA Service Provider staff if difficulties arise which the Worksite supervisor and participant are unable to resolve. WIOA Service Provider staff will attempt to find a mutually satisfactory solution. The WIOA Service Provider staff and/or Worksite supervisor may recommend termination or transfer of the participant if the situation or problem is not resolved;
6. There will be adequate oversight and review of each participant's time and attendance;
7. There will be sufficient equipment and/or materials provided to carry out assignments;
8. This agreement will be maintained at the Worksite and available for review by federal, state, and WDB representatives;
9. All requirements and regulations governing the WIOA program will be upheld;
10. Worksite supervisors will adhere to existing state and federal labor standards;
11. The participating Worksite has not relocated this establishment and commenced operations in the past 120 days, where the relocation resulted in the loss of employment at the original location;
12. No WIOA participant shall be employed or job opening filled (A) when any other individual is on layoff from the same or any substantially equivalent job, or (B) when the Worksite has terminated the employment of any regular employee or otherwise reduced its workforce with the intention of filling the vacancy so created by hiring a participant whose wages are subsidized under this Act;
13. *Equal Employment Opportunity and Nondiscrimination:* The Worksite assures that no person on the grounds of race, creed, color, disability, national origin, sex, age, political affiliation, or beliefs, will be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under the Workforce Innovation and Opportunity Act;
14. The Local Area WDB will determine payroll responsibility.

Work Activities

A written job description **must** be attached to this Agreement. The job description must include:

- (1) Accurate description of required duties and responsibilities;
- (2) Hourly wage for position;
- (3) The days and hours to be worked (not to exceed 40 hours per week).

If the WIOA participant’s job duties at the Worksite change, the Worksite agrees to notify the WIOA Service Provider immediately so that this agreement may be modified.

Time and Attendance and Rate of Pay

Accurate time and attendance records will be kept by the Worksite supervisor for each WIOA participant. Records will reflect the time actually worked by the participant. **Participants will not be paid for time not engaged in work duties, including absences, lunch periods, vacation time, or holidays.**

Monitoring

It is mutually understood and agreed that the WIOA Worksite may be monitored by the [Local Area WDB], NCDWS , and/or the USDOL. The WIOA Service Provider will monitor the Worksite based on a planned schedule at least once during the term of this agreement. The Worksite supervisor will maintain current and accurate time and attendance records and will cooperate fully to provide staff with worksite information or records as required in a timely fashion.

Supervision

Worksite supervisors must be experienced in the work to be performed by the WIOA participant and in supervising entry-level employees. Worksite supervisors should encourage and expect participants to demonstrate, good work habits, satisfactory job performance, and positive attitudes about work.

Authorized Signatures:

Worksite Representative

Print Name	Signature	Date

Print Title

Worksite Business Name and Address: _____

* This form is a reference and can be used as a guide if you have other forms you prefer to use.

[Insert WDB Name Here]

**[Insert Work Experience Provider Name Here]
Work Experience (WEX) Agreement**

Section 1: General Information

Please complete the following:

Trainee Name:		Job Title:	
O*NET Code:	SVP Code:	Hourly Starting Wage: \$	Hourly Ending Wage: \$
Maximum Training Hours:	Worksite Name:	Worksite Address:	
Trainee Supervisor:	Title:	Phone/Email:	
Employer Representative Name:	WIOA WEX Agency Representative:	WIOA WEX Agency Representative Contact Info:	
Pay Schedule: Weekly <input type="checkbox"/> Monthly <input type="checkbox"/> Bi-Weekly <input type="checkbox"/> Other <input type="checkbox"/>	Pay Day: Period Covered:	Ratio Of Trainees To Supervisor:	

* This form is a reference and can be used as a guide if you have other forms you prefer to use.

[Insert WDB Name Here]
 [Insert WEX Provider Name Here]
Work Experience (WEX) Agreement: Trainee Evaluation

Trainee Name:

Supervisor Name:

Company Name:

Section 1: Evaluation

Job Skills Objectives	Midpoint Evaluation of Skills	Midpoint Evaluation Date	Final Evaluation of Skills	Final Evaluation Date
	Mastered objective <input type="checkbox"/> Satisfactory progress <input type="checkbox"/> Unsatisfactory progress <input type="checkbox"/>		Mastered objective <input type="checkbox"/> Satisfactory progress <input type="checkbox"/> Unsatisfactory progress <input type="checkbox"/>	
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Section 2: Authorized Signatures

Midpoint Evaluation

<i>I hereby certify that the above information is accurate.</i>	
Employer Signature:	Date:
Supervisor Signature:	Date:
Trainee Signature:	Date:

Final Evaluation

<i>I hereby certify that the above information is accurate.</i>	
Employer Signature:	Date:
Supervisor Signature:	Date:
Trainee Signature:	Date:

Section 3: Comments (please explain any unsatisfactory evaluation items)

* This form is a reference and can be used as a guide if you have other forms you prefer to use.

ATTACHMENT

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CFWDB PROCEDURE NO. PR-WDB-008-2018

Subsidized Internship/Work Experience Procedures

General

All subsidized internship/work experience activities within the Cape Fear Local Area (LA) will follow the guidelines as outlined in these procedures.

An internship or work experience is a planned, structured learning experience that takes place in a workplace for a limited period of time. Internships and work experiences may be paid or unpaid, as appropriate. A work experience or internship may take place in the private for-profit sector, the non-profit sector, or the public sector.

All WIOA Title I eligible participants as appropriate based on identified needs by an objective and comprehensive assessment and as documented in the Individual Employment Plan/Individual Services Strategy (IEP/ISS) may participate in a subsidized internship/work experience.

Subsidized internships/work experiences for WIOA Title I Adult and Dislocated Worker participants must be directly linked to a career goal and based upon the participant's interest and aptitude. These opportunities should allow the participant to learn new transferrable skills and enhance their employability.

WIOA Title I Youth programs are required to allocate 35 percent of funds for providing work experience. These work experiences must include an academic and occupational education component. Work experience activities for the WIOA Youth program may include summer employment, pre-apprenticeship, internships, job shadowing, and on-the-job training (OJT). These opportunities should be related to the participant's career pathway and/or interest based on assessment results. WIOA Title I Youth Service Providers must use Form F-WDB-018-2018 Staff Tracking Sheet (**Attachment H**) to track the time they spend on work experience. This may include time spent developing worksites, monitoring worksites and all other work related to the work experience.

The intent of subsidized internships/work experiences is not to benefit the employer, although the employer may, in fact, gain from the activities performed by the participant, and in some cases may result in an employment offer.

In no case should internships/work experiences be used to directly or indirectly aid in the filling of a job opening that is vacant because the former occupant is on strike or is being locked out in the course of a labor dispute, or the filling of which is otherwise an issue in a labor dispute involving a work stoppage.

All worksite forms (worksite agreement, job description, supervisor orientation, youth evaluation, timesheets and modifications (if applicable)) must be scanned and uploaded into NCWorks Online.

Adult/Dislocated Worker Internship/Work Experience

Adults and Dislocated Workers may participate in planned, structured learning experiences that are linked to careers and take place in a workplace for a limited period of time **not to exceed 320 hours per program year**. The service provider should consider the length of time necessary for the participant to learn the skills identified in the job description/training outline when determining the length of the internship/work experience. Work activities may take place in the public or private for-profit and non-profit sectors. Adult and Dislocated Worker participants enrolled in work experience should be close to completion of training (within 6 months of completion) or may have completed training. For those who have completed training, work experience opportunities must occur within six months of the date training was completed. Participants in work experience should not have had prior work activity in the field/area being assigned and the work experience must be directly linked to their career goal. The internship/work experience must be detailed in the Individual Employment Plan/Individual Service Strategy (IEP/ISS). Participants will not be paid for absences, unworked hours including lunch on or off premises, or recreational activity. All participants that work more than five (5) consecutive hours per day must have a 30-minute meal break. No participant shall work for more than 40 hours per week.

Youth Work Experience

Youth may participate in planned, structured learning experience activities that include academic and occupational education for a limited period of time. **Participants should not work for any one worksite for more than 520 hours and should not exceed a total of 1040 hour per program year**. The service provider should consider the length of time necessary for the participant to learn the skills identified in the job description/training outline when determining the length of the work experience. The educational component may occur concurrently or sequentially with the work experience.

The types of work experiences include the following categories:

- (1) Summer employment opportunities and other employment opportunities available throughout the school year;
- (2) Pre-apprenticeship programs;
- (3) Internships and job shadowing; and
- (4) On-the-job training (OJT) opportunities as defined in WIOA Section 3 (44) and NC Policy Statement 04-2015

The goal is to promote education while providing the youth needed work experience. Linking the educational component to skills required on-the-job is key to the participant understanding that the more education and skills one has, the higher the wages they will receive or can expect. The work experience must be detailed in the Individual Employment Plan/Individual Service Strategy (IEP/ISS). Participants will not be paid for absences, unworked hours including lunch on or off premises, or recreational activity. All participants that work more than five (5) consecutive hours

per day must have a 30-minute meal break. No participant shall work for more than 40 hours per week.

Selecting Worksites

Matching a WIOA Title I participant with the appropriate worksite is critical to a successful job assignment. Based on assessment results and career pathway, participants are placed at worksites that are in line with their area of interest and career pathway. Worksite supervisors should have a clear understanding of the objectives of the internship/work experience job assignment and realistic expectations of the work products and productivity of the WIOA Title I participant. The participant must have sufficient work and adequate supervision, as any other entry-level employee.

Organizations and/or businesses that participate in this activity should be based on an objective analysis of the relative “value-added” contributions an employer is willing to make to the experience for the WIOA Title I participant. This may include structured development/refinement of work readiness skills, provision of on-site educational services, and exposure to enhanced skill training and mentoring. It is strongly discouraged to use Career Centers as worksites due to the potential of conflicts of interest. Placement at a Career Center would only be allowed if there is documentation that this experience will meet the participant’s career goals and skill needs **AND** there is no other placement opportunity available.

Worksites that require participants to work with and/or around children/youth will require that a background check be completed. Work experience participants shall be removed from worksites that have been determined abusive or have been determined to be in noncompliance with the Worksite Agreement.

Supervisor Orientation

All worksite supervisors should be provided with an orientation so that they have a clear understanding of the WIOA Title I programs and the objectives of the internship/work experience. Service providers will use the supervisor orientation provided as **Attachment D**.

Job Description/Training Outline

All internship/work experience job descriptions/training outlines will be developed jointly with the worksite employer/supervisor and WIOA program staff. The job description/training outline will provide a brief description of the job duties, identify transferrable skills the participant may have through prior work experience and/or life experiences, skills that the participant will learn through the internship/work experience, the wage to be paid, and the days and hours to be worked. All job descriptions/training outlines must be submitted to the Local Area prior to the participant beginning work using the form provided as **Attachment C**. A copy of the job description/training outline will be maintained at the worksite and uploaded into the participant record on NCWorks Online.

Worksite Agreement

All WIOA Title I service providers will use the worksite agreement provided as **Attachment B**. The agreement should be signed by the WIOA Title I staff and the worksite representative. A

copy of the worksite agreement will be maintained at the worksite and uploaded into the participant record on NCWorks Online.

Participant Evaluation

All WIOA Title I service providers will use the participant evaluation provided as **Attachment E**. An evaluation should be completed at week 2, then midpoint, and at the conclusion of the internship/work experience. The evaluations should be signed by the participant and the worksite supervisor. A copy of the evaluations will be uploaded into the participant record on NCWorks Online.

Rate of Pay for Paid Internship/Work Experience

WIOA Title I participants should be compensated the prevailing wage of employees with similar training, experience and skills for a similar occupation, as set by the employer (worksite). However, since work experience/internships are intended as trainee positions, wages should not typically exceed those for entry level employees. The rates may not be lower than the higher of the federal or state minimum wage.

To determine the prevailing wage the service provider will work with the worksite to develop the job description for the participant and using the worksite pay scale determine what the wage will be, but not to exceed the entry level wage for the position. If the worksite does not have a pay scale, information that may assist in determining the wage can be found at <http://d4.nccommerce.com> under Occupational Employment and Wages in North Carolina (OES). Other items to be considered in determining the hourly wage are listed below. This list is not intended to be all inclusive:

- Objectives of the work experience
- Type of work to be performed during the work experience
- Skill set of the participant
- Skill set required for the work experience
- Service provider budget

The determination and rationale for the hourly wage must be documented in the case notes on NCWorks Online.

Note *In many work experience placements, an individual's skill set may not meet the standard occupational classification qualifications for the position. Therefore, this distinction may allow the wages to be set below the prevailing wage standards, then what might be acceptable for a placement of an individual that meets the classification requirements.*

Participant Timesheets

All WIOA Title I participants engaged in subsidized work experience must complete the timesheet provided as **Attachment F**. WIOA Title I program staff should type in the following information prior to giving the timesheet to the participant:

- Participant name
- Participant Job Title

- Pay Period
- Worksite Supervisor Name
- Name of Worksite
- Dates in Pay Period (*make sure that dates entered are for correct day of the week and match pay period*)

WIOA Title I participants should write in the time they arrive for work, leave for and return from lunch, and leave work for the day. Time should be recorded in 15-minute increments as noted at the top of the timesheet. WIOA Title I participants are to sign their timesheet at the end of each two-week period.

Example: If you arrive to work at 5 minutes after 8, you would record that as 8:00. If you arrive at 10 minutes after 8, you would record that as 8:15.

After timesheet is completed and signed by worksite supervisor and participant, the WIOA Title I program staff **MUST** review timesheet for accuracy and sign it.

***NOTE: A miscalculation in the hours that causes the participant to work over 40 hours per week and/or the allowable hours will result in disallowed cost for hours worked over the 40 hours per week and/or allowable hours.**

Worksite Agreement Modification

If it is necessary to make changes to a worksite agreement, WIOA Title I Service Providers along with the worksite supervisor will complete the worksite modification form provided as **Attachment G** and submit to the Local Area for review and approval. Once the modification has been approved the modification should be attached to the original worksite agreement at the worksite and uploaded into NCWorks Online.

Worksite Monitoring

All worksites must be willing to allow Board staff, the North Carolina Division of Workforce Solutions and/or US Department of Labor to perform onsite monitoring to ensure compliance with the worksite agreement, as well as, to monitor the progress of the participant. WIOA Title I program staff must also conduct monitoring visits to ensure compliance with the worksite agreement and progress of the participant.

ATTACHMENT

“C”

Workforce Innovation and Opportunity Act (WIOA)

WORK EXPERIENCE WORKSITE AGREEMENT

This establishes an agreement between

and

(WIOA Title 1 Services Provider)

(Name of Worksite Agency)

Please select:

- Public Non-Profit Private for Profit

herein after referred to as “Worksite” to provide subsidized or unsubsidized internship/work experience to eligible individuals participating in the Cape Fear Workforce Development Board Work Experience Program authorized and funded under the Workforce Innovation and Opportunity Act (WIOA). The WIOA Services Provider and the “Worksite” will work together to provide a short-term work experience component which is valuable and meaningful for both the participant and the organization/worksite.

Work experience job assignments will be consistent with each WIOA participant’s capabilities and interest and in an occupational field or specific job in which he/she has minimal or no prior work experience. WIOA funded work experience job assignments are expected to help individuals gain the skills and experience they need to succeed in the workplace and obtain unsubsidized employment.

TERM: This agreement will take effect on [Click here to enter a date.](#) and terminate no later than [Click here to enter a date.](#)

This Worksite Agreement provides the following assurances:

1. Only those participants referred to and declared eligible by the WIOA Services Provider as WORK EXPERIENCE participants will participate under this agreement.
2. The Worksite will comply with the Fair Standard Act, current child labor laws and appropriate North Carolina State and Federal Labor Laws/standards including ADA and OSHA regulations.
3. Participants will be informed of the supervisor's name, role and responsibilities. Youth will relay any problems that might arise to that supervisor. The Worksite will notify the WIOA Service Provider staff if difficulties arise which the worksite supervisor and participant are unable to resolve. WIOA Service Provider staff and/or Worksite supervisor may recommend termination or transfer of the participant if the situation or problem is not resolved.

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4. There will be a contingency plan for inclement weather when regular Worksite is designated as out-of-doors.
5. There will be adequate full-time supervision of each WIOA participant by qualified supervisors. When the regular Worksite Supervisor is unavailable, an alternate supervisor will be designated.
6. There will be sufficient equipment and/or materials provided to carry out work assignments. Provide sufficient, meaningful work to keep WIOA participants fully occupied during work hours.
7. Work will be conducted in a safe and sanitary work environment.
8. Oversee the maintenance and certify as accurate, records of participant's time and attendance.
9. Notify the WIOA Service Provider within 24 hours of any accidents, special situations or unusual occurrences.
10. Evaluate each participant as agreed upon and required by the WIOA Services Provider.
11. Provide youth workers with appropriate breaks and lunch hour.
12. No WIOA participant shall be employed or job opening filled (A) when any other individual is on layoff from the same or any substantially equivalent job, or (B) when the Worksite has terminated the employment of any regular employee or otherwise reduced its workforce with the intention of filling the vacancy so created by hiring a participant whose wages are subsidized under this Act.
13. The participating Worksite has not relocated this establishment and commenced operations in the past 120 days, where the relocation resulted in the loss of employment at the original location.
14. Equal Employment Opportunity and Nondiscrimination: The Worksite assures that no person on the grounds of race, creed, color, disability, national origin, sex, age, political affiliation, or beliefs, will be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under the Workforce Innovation and Opportunity Act.
15. The WIOA Service Provider is responsible for payroll processing for WIOA participants. Time sheets must be maintained that document participant's sign in when reporting to work each day, sign out for lunch, sign in when returned from lunch and sign out at the completion of the specified number of hours each day as described in this agreement. No one else is allowed to sign a participant in or out.
16. All requirements and regulations governing the WIOA program will be upheld.
17. This agreement will be maintained at the Worksite and available for review by federal, state and Workforce Development Board representatives.

ASSURANCES – The WIOA Youth Services Provider Agrees To:

1. Provide orientation to the work experience participants on program purposes and policies and procedures.
2. Provide Worksite with a list of eligible participants who are available to work at the Worksite.
3. Provide the Worksite with instructions and procedure forms as may be required.
4. Assure that immediate Worksite Supervisors and their alternates will receive orientation as to their duties and responsibilities.

5. Notify Worksite in case of any change in any participant's status and availability to work.
6. Provide labor market information, career exposure activities, counseling and supportive services to the participants as determined to enhance the program for the participant.
7. The Service Provider will obtain/maintain Worker's Compensation Insurance to cover all WIOA participants engaged in internship or work experience at the worksite.

WORK ACTIVITIES

A written job description must be attached to this agreement. The job description must include:

- (1) Accurate description of required duties and responsibilities;
- (2) Hourly wage for position;
- (3) The days and hours to be worked (not to exceed 40 hours per week).

If the WIOA participant's job duties at the Worksite change, the Worksite agrees to notify the WIOA Service Provider immediately so that this agreement may be modified.

TIME, ATTENDANCE AND COMPENSATION:

Accurate time and attendance records will be kept by the supervisor for each WIOA participant. Records will reflect the time actually worked by the participant. ***Participants will not be paid for time not engaged in work duties, including absences, lunch periods, vacation time, or holidays.***

MONITORING:

It is mutually understood and agreed that the WIOA Worksite may be monitored by the Cape Fear Workforce Development Board, Division of Workforce Solutions, and/or the US Department of Labor. The WIOA service Provider will monitor the Worksite based on a planned schedule at least once during the term of this agreement. The Worksite supervisor shall maintain current and accurate time and attendance records and will cooperate fully to provide staff with worksite information or records as required in a timely fashion.

SUPERVISION:

Worksite supervisors must be experienced in the work to be performed by the WIOA participant and in supervising entry-level employees. Worksite supervisors should encourage and expect participants to demonstrate good work habit, satisfactory job performance, and positive attitudes about work.

Work activities will be performed under the supervision of the person(s) listed below:

Supervisor	Job Title	Alternate Supervisor
1. <input type="text"/>	<input type="text"/>	<input type="text"/>
2. <input type="text"/>	<input type="text"/>	<input type="text"/>
3. <input type="text"/>	<input type="text"/>	<input type="text"/>

AUTHORIZED SIGNATURES:

WIOA Youth Services Provider Name <input type="text"/>	Worksite Name <input type="text"/>
WIOA Services Provider Authorized Signature <input type="text"/>	Worksite Authorized Signature <input type="text"/>
Address: <input type="text"/>	Address: <input type="text"/>
Telephone Number: <input type="text"/>	Telephone Number: <input type="text"/>
Fax Number: <input type="text"/>	Fax Number: <input type="text"/>
Email: <input type="text"/>	Email: <input type="text"/>
Cell Phone Number: <input type="text"/>	Cell Phone Number: <input type="text"/>

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ATTACHMENT

“D”

**WORKFORCE INNOVATION AND OPPORTUNITY ACT TITLE I PROGRAMS
JOB DESCRIPTION/TRAINING OUTLINE**

IMPORTANT NOTICE: For each job title requested a job description/training outline must be completed. All participants will be trained in the job skills listed below and also provided employment skills training.

Please complete the following:							
Participant Name:					Job Title:		
Worksite Name:							
Worksite Address:							
Supervisor Name:					Phone #:		
Alt. Supervisor Name: <i>(if applicable)</i>					Phone #:		
Work Schedule: <i>(Time/Hours)</i>	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
(For this position only – CANNOT WORK OVER 40 HOURS IN A WEEK)							
Hourly Wage: \$	Does this position require a background Check?			Yes	No		
	If so, has a background check been completed?			NA	No		
				Yes, provided by the Worksite			
				Yes, provided by WIOA Service Provider			

SECTION 2: Job Description

--

SECTION 3: Participant Skills Set/Transferrable Skills

--

List Assessment Tool(s) used to identify skills to be learned (skills gap)

--

Job Skills to be Learned	Job Skills to be Learned

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Job Skills to be Learned	Job Skills to be Learned

Job Description/Training Outline Developed by:

Worksite Representative/Supervisor Signature

WIOA Title I Service Provider Signature

Date: _____

Date: _____

ATTACHMENT

“E”

Workforce Innovation and Opportunity Act (WIOA)

WORK EXPERIENCE WORKSITE SUPERVISOR ORIENTATION

Worksite: [Click or tap here to enter text.](#)

- 1. Purpose
- 2. Eligibility requirements
- 3. Rights, benefits, and responsibilities of the participants
- 4. Hours of work (days, weeks, holidays, etc.)
- 5. Reporting procedures
- 6. Pay procedures
- 7. Worker's Compensation
- 8. Nepotism
- 9. Hatch Act
- 10. Child Labor Laws (if applicable)
- 12. Youth Employment Certificate/Work Permit (if applicable)
- 13. Sectarian activities not permitted
- 14. Equal Employment Opportunity
- 15. Grievance procedure
- 16. Termination procedures
- 17. Worksite Agreement: Role of Supervisor, Work Assignments, Monitoring, Visits
- 18. Handling on the job injuries/accidents
- 19. Handling problems at the worksite involving WIOA participants
- 20. Completing Participant Evaluations
- 21. Contact information for Case Manager/Career Advisor

I/We the undersigned were provide orientation by the WIOA Program Staff and have had the above subjects reviewed with us. I/We agree to provide adequate supervision to the WIOA participant at all times during their participation at this worksite.

Worksite Representative/Supervisor Signature

WIOA Title 1 Service Provider Signature

ATTACHMENT

“F”

Workforce Innovation and Opportunity Act (WIOA)

WORK EXPERIENCE PARTICIPANT PROGRESS EVALUATION

Participant: _____
 Job Title: _____
 Worksite: _____

Directions: Please grade the trainee in each area. Review the Progress Evaluation with the trainee. Submit progress evaluation to WIOA Title 1 Service Provider after the second week, mid-point, and the end of the Work Experience. Please check evaluation submitted:

Second Week Mid-Point Final

Grade Scale: (E) Exceeds Expectations (S) Satisfactory (N) Needs Improvement (N/A) Not Applicable

- | | | | |
|--|--|--|------------------------------------|
| <input type="checkbox"/> E <input type="checkbox"/> S <input type="checkbox"/> N <input type="checkbox"/> NA | Reports to work daily | <input type="checkbox"/> E <input type="checkbox"/> S <input type="checkbox"/> N <input type="checkbox"/> NA | Maintains positive attitude |
| <input type="checkbox"/> E <input type="checkbox"/> S <input type="checkbox"/> N <input type="checkbox"/> NA | Is on time for work | <input type="checkbox"/> E <input type="checkbox"/> S <input type="checkbox"/> N <input type="checkbox"/> NA | Maintains interest and enthusiasm |
| <input type="checkbox"/> E <input type="checkbox"/> S <input type="checkbox"/> N <input type="checkbox"/> NA | Calls in if late or absent | <input type="checkbox"/> E <input type="checkbox"/> S <input type="checkbox"/> N <input type="checkbox"/> NA | Demonstrates honesty and integrity |
| <input type="checkbox"/> E <input type="checkbox"/> S <input type="checkbox"/> N <input type="checkbox"/> NA | Completes assignments in a timely manner | <input type="checkbox"/> E <input type="checkbox"/> S <input type="checkbox"/> N <input type="checkbox"/> NA | Reports to work neat and clean |
| <input type="checkbox"/> E <input type="checkbox"/> S <input type="checkbox"/> N <input type="checkbox"/> NA | Accepts responsibility for assigned duties | <input type="checkbox"/> E <input type="checkbox"/> S <input type="checkbox"/> N <input type="checkbox"/> NA | Dresses appropriately |
| <input type="checkbox"/> E <input type="checkbox"/> S <input type="checkbox"/> N <input type="checkbox"/> NA | Uses good time management techniques | <input type="checkbox"/> E <input type="checkbox"/> S <input type="checkbox"/> N <input type="checkbox"/> NA | Accepts constructive criticism |
| <input type="checkbox"/> E <input type="checkbox"/> S <input type="checkbox"/> N <input type="checkbox"/> NA | Cooperates with fellow employees | <input type="checkbox"/> E <input type="checkbox"/> S <input type="checkbox"/> N <input type="checkbox"/> NA | Follows worksite rules |
| <input type="checkbox"/> E <input type="checkbox"/> S <input type="checkbox"/> N <input type="checkbox"/> NA | Keeps breaks/meals to allotted time | <input type="checkbox"/> E <input type="checkbox"/> S <input type="checkbox"/> N <input type="checkbox"/> NA | Leaves work when scheduled |

Using the same grade scale above, grade the trainee's progress in learning and performing the identified job skills below.

Grade	Job Skill To Be Learned	Grade	Job Skill To Be Learned
<input type="checkbox"/> E <input type="checkbox"/> S <input type="checkbox"/> N <input type="checkbox"/> NA		<input type="checkbox"/> E <input type="checkbox"/> S <input type="checkbox"/> N <input type="checkbox"/> NA	
<input type="checkbox"/> E <input type="checkbox"/> S <input type="checkbox"/> N <input type="checkbox"/> NA		<input type="checkbox"/> E <input type="checkbox"/> S <input type="checkbox"/> N <input type="checkbox"/> NA	
<input type="checkbox"/> E <input type="checkbox"/> S <input type="checkbox"/> N <input type="checkbox"/> NA		<input type="checkbox"/> E <input type="checkbox"/> S <input type="checkbox"/> N <input type="checkbox"/> NA	
<input type="checkbox"/> E <input type="checkbox"/> S <input type="checkbox"/> N <input type="checkbox"/> NA		<input type="checkbox"/> E <input type="checkbox"/> S <input type="checkbox"/> N <input type="checkbox"/> NA	
<input type="checkbox"/> E <input type="checkbox"/> S <input type="checkbox"/> N <input type="checkbox"/> NA		<input type="checkbox"/> E <input type="checkbox"/> S <input type="checkbox"/> N <input type="checkbox"/> NA	
<input type="checkbox"/> E <input type="checkbox"/> S <input type="checkbox"/> N <input type="checkbox"/> NA		<input type="checkbox"/> E <input type="checkbox"/> S <input type="checkbox"/> N <input type="checkbox"/> NA	
<input type="checkbox"/> E <input type="checkbox"/> S <input type="checkbox"/> N <input type="checkbox"/> NA		<input type="checkbox"/> E <input type="checkbox"/> S <input type="checkbox"/> N <input type="checkbox"/> NA	

Comments/Observations (strengths, weaknesses, improvements, etc.)

Participant Signature _____

Date _____

Supervisor Signature _____

Date _____

ATTACHMENT

“G”

Workforce Innovation and Opportunity Act (WIOA)

WORK EXPERIENCE PARTICIPANT TIME SHEET

Participant Name: _____ Job Title: _____
 Pay Period From: _____ To: _____ Worksite Supervisor: _____
 Worksite: _____

NOTE: Total hours should be recorded in **15-minute** increments (15 minutes = .25, 30 minutes = .50, and 45 minutes = .75
ALL timesheets should be completed in **INK** not pencil and **NEVER** use white-out!

Week One

DAY	Date	Start Time	Meal Break Time		End Time	Total Hours
			Out	In		
SUN						
MON						
TUE						
WED						
THU						
FRI						
SAT						
TOTAL HOURS FOR WEEK 1						

Week Two

DAY	Date	Start Time	Meal Break Time		End Time	Total Hours
			Out	In		
SUN						
MON						
TUE						
WED						
THU						
FRI						
SAT						
TOTAL HOURS FOR WEEK 2						

Combined Total Hours: _____

Worksite Supervisor Signature: _____ Date: _____

Participant's Signature: _____ Date: _____

WIOA Title 1 Staff Signature: _____ Date: _____

By signing I have reviewed this timesheet for accuracy and certify that the above entries are an accurate representation of the participant's time worked in this pay period.

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ATTACHMENT

“H”

ATTACHMENT

“1”

Workforce Innovation and Opportunity Act (WIOA)
WORK EXPERIENCE STAFF TIME TRACKING SHEET

WIOA Title 1 Program Service Provider: _____

WIOA Title 1 Staff Member Name: _____

Reporting Period: _____

Day of the Week	Date	Time	Worksite/Organization	Purpose/Activity	Total Time
Monday					
Tuesday					
Wednesday					
Thursday					
Friday					
TOTAL HOURS FOR THE MONTH SPENT ON WORK EXPERIENCE ACTIVITIES:					

WIOA Title 1 Staff Member Signature: _____ Date: _____

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