Purpose
The purpose of this policy is to establish guidelines for the arrangement of Work Experiences/Internships where an individual will be able to learn an employment related skill or qualify for an occupation through demonstration and practice.

References
- 20 CFR 663 and 664
- Virginia Workforce Letter (VWL) No. 19-07 WIOA Title I Youth Program Work Experience 20% Expenditure Requirement
- Fair Labor Standards Act
- 20 CFR 680
- WIOA, Public Law 113-128
- TEGL 19-16 and 10-16 Change 1

Policy
It is the policy of the Western Virginia Workforce Development Board (WVWDB) to provide the option of Work Experience/Internships to WIOA Title I program participants, where applicable and beneficial. Work Experiences/Internships are planned, structured learning experiences that takes place in a workplace for a limited period. Work Experiences/Internships may be paid or unpaid, as appropriate and may be in the private for-profit sector, the non-profit sector, or the public sector. Labor standards apply in any Work Experience/Internship where an employee/employer relationship, as defined by the Fair Labor Standards Act, exists. WIOA is an Equal Opportunity Program and auxiliary aids, and services are available upon request to allow program participation in services, such as Work Experience/Internship.

Procedure

Participant Eligibility
Participants can be deemed eligible once assessed and an Individual Employment Plan (IEP) and Objective Assessment (OA) has been created. In accordance with the IEP and OA, there must be a substantial need for such as:
- Workplace literacy;
- Resume building; or
- Other appropriate purposes.

Host Eligibility
An eligible host for a Work Experience/Internship must meet the following criteria:
- May be in the public, private non-profit, or private sector.
- Must have adequate personnel to provide enough supervision and training.
- Must provide a job description and working conditions at the same level and to the same extent as other trainees or employees working a similar length of time and doing the same type of work.
• Must not use assignments to displace regular employees, or to replace any employee on layoff.
• All Work Experience/Internship opportunities will allow the WIOA Title I participant to gain skills that lead to occupations identified as in demand in the labor market and determined to be of priority by the Western Virginia Workforce Development Board (WVWDB) and the Chief Local Elected Officials in the Local Plan.

Staff may request a waiver for participants that are interested in opportunities outside of these target sectors and occupations. Waivers must be requested, with all required documentation, and approved by the WVWDB Director prior to approving funding for the participant. Waiver documentation must include, at a minimum:

- Justification within the participant’s IEP identifying occupation interest and/or aptitude;
- Barriers to employment and/or training in the target sectors and occupations; and
- Local labor market information including LMI data as well as at least 3 different current job openings paying a self-sufficient wage (as defined in our Eligibility policy) for the occupation connected to the training.

These items must be attached to the waiver request form to the WVWDB Director. Waivers may be available for no more than 5% of funds budgeted annually by line item and by program (i.e.: 5% of the Adult ITA budget, etc.).

Work Experiences/Internships may not be provided within a One-Stop or Virginia Career Works Center. unless approval from the Executive Director of the WVWDB has been received in writing PRIOR to the start date of the work experience/internship.

**Relationship Between Host and WIOA Title I Participant**
Because Work Experience/Internship is a pre-vocational service, the relationship between the WIOA Title I participant and the host for the work experience activity for the WIOA Title I program does not constitute an employer/employee relationship. Payments to WIOA Title I participants that are participating in Work Experience/Internship opportunities are stipends provided for progress and attendance in an intensive service, not compensation for work performed for an employer. All WIOA Title I participants that participate in a Work Experience/Internship opportunity will be provided a 1099 MISC by January 31st documenting the prior calendar year stipends received. All WIOA Title I participants will receive information on requirements to file income taxes and resources to assist them with filing at little to no cost.

A Work Experience/Internship agreement will be completed between the host site, WIOA Title I participant, and the WVWDB. This agreement must be limited to the period required for a participant to become proficient in the job for which the training is designed. In determining the appropriate length of the contract, consideration should be given to the skill requirements of the job, the academic and occupational skill level of the participant, prior work experience, and the participant’s individual employment plan. Work Experiences/Internships must include an academic component of some nature related to the industry of placement, whether that be to learn work readiness, a specific skill, update or increase math skills, etc. This must be documented within the Work Experience/Internship agreement and must be completed either prior to or during the Work Experience/Internship.
A review of the host will ensure that there is currently or expected to have enough work to provide the service for the participant. An on-site or virtual visit by staff will ensure that the host has the necessary equipment, materials, and supervision to conduct the training.

The host will provide a job description of the occupation as performed in the company and a concise outline of the Work Experience/Internship to be given, tasks to be learned, and the approximate hours of training required for each task. Once this information is provided, the WIOA Title I Staff will determine the length of the training period that will be covered by the agreement. Work Experiences/Internships participants will be paid a stipend at a rate of $10 per hour that the participant successfully attends and participates in the work experience/internship. Work Experiences/Internships will be combined with comprehensive career and supportive services, as needed. The maximum amount of funding to be spent on a WIOA Title I participant for a Work Experience/Internship opportunity will be $5,000. A WIOA Title I participant may use these hours in a variety of ways, including all hours at one site or divided between multiple sites. Funds allocated to a participant for a Work Experience/Internship will count towards the maximum expenditure per participant of $8,000 per year.

The WIOA Title I staff is responsible for ensuring the participant’s skill levels will result in the successful completion of the Work Experience/Internship. The WIOA Title I staff must also ensure the following are completed:

- A Work Experience/Internship Agreement that articulates the learning that is to take place, the length of the experience and the competencies that must be mastered must be completed and signed prior to the start of the experience.
- The WIOA staff shall contact the participant at a minimum once each month and shall keep in the participant’s file documentation of their progress. Concerns and corrective action necessary to accomplish the objectives shall be recorded and appropriate action and follow-up shall be documented.
- A minimum of one on-site or virtual monitoring visit must be made during the time of active training of a participant at the worksite.
- Time & attendance records must be reviewed prior to forwarding requests for payments.

**Funding**

While the WIOA Title I Adult and the WIOA Title I Youth program may provide Work Experience/Internship opportunities for enrolled participants, a minimum of 20% of WIOA Title I Youth program year funds must be spent on Work Experience/Internship opportunities and associated activities. Activities and expenditures that can count toward the calculation of Work Experience/Internship expenditures includes the following:

- Direct time and effort of WIOA Title I Youth program funded staff toward developing, implementing, or monitoring Work Experience/Internship opportunities, as shown on monthly timesheets.
- Academic coursework or curriculum related to the required academic component of the work experience.
- Direct stipend payments given to WIOA Title I Youth participants for attendance and progress in Work Experience/Internship opportunities.