

WORKFORCE POLICY BULLETIN (update of WPB #01-16)

DATE: July 3, 2025

TO: Service Providers

FROM: Tamia Brown, Executive Director
Workforce Development Board

SUBJECT: Revised Youth Work Experience (WEX) Policy

Background:

~~The Workforce Innovation and Opportunity Act (WIOA) places increased focus on work-based learning for youth by broadly defining work experience and establishing a minimum expenditure requirement (20%) for work-based learning activities.~~

Under WIOA section 134(c)(2)(A)(xii)(VII), an internship or work experience is defined as a planned structured, time-limited learning experience that takes place in a workplace (including a virtual/remote workplace per TEGL 09-22.) Work experience may be paid or unpaid, as appropriate. An internship or work experience may be arranged within the private for-profit sector, the non-profit sector, or the public sector.

Paid and unpaid work experiences and/or internships must include academic, occupational education and may include the following types of work experience:

- Summer employment opportunities and other employment opportunities available throughout the school year
- Pre-apprenticeship programs
- Internships and job shadowing
- On-the-job training opportunities

WEX Policy

- Work Experiences may be in-person, virtual, or a hybrid. The work-experience schedule shall clearly identify which hours are which. Virtual and hybrid work-experiences must adhere to the same requirements as an in-person work-experience.
- The duration of a paid WEX activity shall be based on the needs of the participant as documented in his/her their Individual Service Strategy ~~/ (ISS) /~~ Career Action Plan –

generally 120 to 520 hours ~~in accordance with the quality standards adopted by Earn and Learn East Bay.~~

- A work-based learning plan and evaluation tool will be used.
- WEXs need to be linked to an ~~occupational goal~~ occupation and career pathway that matches the participants' interests and goals
- Participants and worksite supervisors shall receive an orientation prior to the start of a paid work experience.
- Participation in a paid WEX does/shall not preclude an individual from receiving supportive services such as uniforms, work-clothing, tools, transportation assistance, childcare assistance, and other supportive services as needed.
- Payment of incentives are allowable but must be tied to the completion of measurable outcomes. **Incentives are not to take the place of wages** and may be most appropriate for completion of an academic component or learning objectives completed via short or one-time unpaid work experiences such as a job-shadow.
- The WEX must be monitored by the coordinating provider/agency at least once during the course of the activity.

Work Experience Subsidies

~~When possible, the employer will pay the wages to the youth for the term of the work experience. If a public sector or non-profit employer is unable to pay for the wages, WIOA funds may be used to subsidize the WEX.~~

~~To subsidize a Private Sector internship or work experience, one or more of the following criteria must be in place and documented.~~

Earn & Learn East Bay Private Sector Subsidy Qualifiers:

- ~~• There is an excellent chance that the employer will hire the youth after the subsidized summer experience~~
- ~~• The subsidy will leverage additional resources (Employer will make other financial contributions to support the experience).~~
- ~~• The experience is a team based project with significant contributions from the employer partner.~~
- ~~• The experience offers an opportunity in a career or field of interest that would otherwise be unavailable to the student/youth.~~
- ~~• The experience offers a youth/student with marginal skills and/or other barriers the opportunity to develop confidence and experience a successful placement that would otherwise not be possible.~~
- ~~• Placement would be an economic development opportunity for a small business that is poised for growth.~~

Labor Laws and Internal Revenue Service Guidelines

Participants in a paid work experience activity must be paid in wages that comply with federal, state, and local minimum wage requirements.

Worksites must also adhere to other local, state, and federal labor laws. The U.S. Department of Labor and the California Department of Industrial Relations provide requirements on school attendance, wages, allowable working hours, age requirements, restrictions, employer requirements, work permits, job safety and working conditions. Providers are expected to create experiences for the participants that meet all applicable legal requirements.

Employers of Record are expected to adhere to Internal Revenue Service guidelines.

Types of Compensation

Wages: generally a payment for services rendered where an employer/employee relationship exists. This form of compensation is usually paid through a payroll systems and subject to taxes applicable to the employer of record and participants.

Stipends: A stipend is an allowable payment for participation in activities such as work-experience or classroom activities, including work-readiness or employability skills.

Incentives: payments to participants for recognition and achievement directly tied to training activities and work-experience

Work Experience Funding

If a host worksite is unable to hire the participant and serve as employer of record, WIOA funds or other special grant funds (as allowable) may be used to fund the work experience including but not limited to wages, workers compensation costs, payroll taxes, etc.

Work Experience Employee Files/Record-keeping

Providers must maintain full documentation of the work experience in the participant's case file. These documents verify that the participant is authorized to work in the U.S. and has completed the required employee paperwork. When wages are fully paid by a private-host worksite/employer (not subsidized with WIOA or special grant dollars), copies of the required documentation are acceptable with the understanding that the originals will be made available for review by local, State and Federal monitors as needed.

WEX Employee files should include:

- Completed, signed and verified I-9 Form with back-up documentation

- Completed, signed W4 Form
- Current work permit for participants under 18 years old
- Emergency contact information
- Copy of timesheets of all pay periods during which the client worked
- Verification that client received paychecks for all pay periods worked
- Progress Reports/Performance evaluations
- Documentation of the job title/occupation, host worksite company or organization, location, point of contact, start date, end date

WEX Expenditure Reporting

Youth Work Experience Priority – 20% Spending Requirement

WIOA and 20 CFR 681.590(a) require a minimum of 20 percent of local area Title I Youth program funds be spent on work experience. WIOA youth programs must track and report program funds spent on paid and unpaid work experiences, including wages and staff costs for the development and management of work experiences.

The work experience spending requirement:

- Is not tracked separately for In-School and Out-of-School youth
- Is calculated AFTER administrative costs have been subtracted from the total amount of youth funds.

Allowable expenditures that may be counted toward the work experience expenditure requirement include:

1. Wages/stipends paid for participation in a work experience
2. Staff time working to identify and develop a work experience opportunity, including staff time spent working with directly with employers
3. Staff time working with employers to ensure a successful work experience, including staff time spent managing the work experience
4. Staff time evaluating the work experience
5. Participant work experience orientation sessions
6. Employer work experience orientation sessions
7. Classroom training or the required academic education component directly related to the work experience
8. Incentive payments directly tied to the completion of work experience; and
9. Employability skills/job readiness training to prepare youth for a work experience

Contracts and Inter-Agency Agreements may require work-experience expenditures beyond the minimum established by WIOA.

If you have questions regarding this bulletin, please contact the Workforce Development Board of Contra Costa County at 925-655-3800

Citations and References

WIOA (Public Law 113-128) Sections 3, 107, 116, 123, 128, and 129.

Title 20 CFR Part 681: Youth Activities under Title I of the WIOA

Training and Employment Guidance Letter (TEGL) 9-22 WIOA Title I Youth Formula Program Guidance (March 2023),

Title 20 CFR Section 681.100-120, 681.480, 681.600, 681.620, 681.640

Title 20 CFR Part 681: Youth Activities under Title I of the WIOA

WIOA Section 3[44], 129[c][4]

Summary of WIOA Expenditures Report for Grant Code 301