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

DATE: July 3, 2025
TO: Contracted Service Providers
FROM: Tamia Brown, Executive Director
SUBJECT: Revision #2 Youth Work Experience (WEX) Policy

Background

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.)

Under WIOA § 681.600 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 experience and/or internships must include academic and 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 – preparation for registered apprenticeships through hands-on learning tied to real careers, opportunities to earn industry-recognized credentials, and partnership with registered apprenticeship programs while providing job-related training
- Internships and job shadowing – temporary, unpaid workplace observation providing first-hand career exploration, exposure to professional expectations
- On-the-job training (OJT) – a specific type of paid work experience in which participants are trained on the job. WIOA funds typically reimburse the employer for a portion (50%) of the participant's wages to offset the cost of training.

WEX Policy

- Work Experiences may be in-person, virtual, or a hybrid. The work experience schedule shall clearly identify which hours occur in each format. Virtual and hybrid work experiences must adhere to the same requirements as an in-person work experience.
- WEXs must be linked to an occupational goal and career pathway that matches the participant's interests and goals and is based on an Objective Assessment as required by WIOA.

- WEX placements will be explicitly linked to a Career Pathway as identified in the Youth's ISS
- WEX placements will be prioritized in high growth, high wage sectors as identified in the Local Plan, the Regional Plan or other publications such as an RFP, Action taken by a Workforce Development Board Committee, etc.
- The duration of a 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.
- A work-based learning plan and evaluation tool will be used.
- 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 met via short or one-time unpaid work experiences such as a job shadow.
- Work Experience may be used in combination with other activities that result in payments to the Youth (Incentives, Supportive Services, Stipends for Training, OJT, etc.) Work Experience is just one of many WIOA services/activities that support a youth in achieving the goals outlined in the Youth's ISS.
- The WEX must be monitored by the coordinating provider/agency at least once during the course of the activity.

Prohibited Worksites and Activities for WIOA Work Experiences

- Religious Organizations and Worship Sites: Participants cannot work in the construction, operation, or maintenance of any facility used for sectarian instruction or as a place of religious worship.
- Political and Lobbying Activities.
- Federally Illegal Businesses: Work experience cannot take place at businesses that are illegal under federal law, even if legal at the state level, such as medical or recreational marijuana.
- Labor Disputes and Strikes: WIOA funds cannot be used to fill openings created by strikes, lockouts, or labor disputes involving a work stoppage.
- Nepotism and Family Supervision: Participants are prohibited from being supervised by a family member or anyone with a direct conflict of interest.

- **Worker Displacement or Schedule Reductions:** Worksites are prohibited if the placement would result in the displacement of currently employed workers or a reduction of their current hours.

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 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 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 a 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.

~~Work Experience Subsidies~~

~~When possible, the employer will pay the wages to the youth for the rm 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, including adherence to Internal Revenue Service guidelines, as applicable.

Types of Compensation

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

Stipends: 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

WEX Funding

To maximize work experience funding that goes directly into the hands of the youth (as opposed to staff-time developing work experiences), WIOA funds shall be used to fund youth wages during work experiences, increasing the variety of opportunities for youth with barriers. In addition to wages, funds may be used for workers' compensation costs, payroll taxes, etc.

WIOA intends for WEX funding to support youth participants in accessing meaningful work-based learning opportunities. Host worksites may serve as Employer of Record and be reimbursed with WIOA funds by the Youth Provider organization. Alternatively, the Youth Provider Organization may serve as the Employer of Record and use WIOA funds to pay the WIOA Youth WEX participant directly.

These funds fulfill a WIOA Youth Element to help youth gain valuable skills and career exposure, consistent with their Individual Service Strategy and occupational goal. This approach ensures youth receive compensation while gaining valuable skills and exposure; and supports partnerships that expand career pathways.

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 the host worksites serve as the Employer of Record, copies of employee paperwork to substantiate the cost shall be secured prior to reimbursement with WIOA funds.

WEX Employee files should include:

- Completed, signed, and verified I-9 Form with back-up documentation
- Completed, signed W-4 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, and end date

On-the-Job Training Funding:

WIOA Funds may be used to support On-the-Job Training (OJT). WIOA-funded OJTs require that the Employer directly hire the participant and provide wages and benefits at a similar rate/level as other workers who occupy like positions in the organization. WIOA funds may be used to reimburse 50% - 75% of the trainees' wages to offset employer training costs. (See Workforce Policy Bulletin WPB #04-20)

Co-Enrollment with Other Programs

Nothing in this policy prevents co-enrollment of the Youth into other programs that may benefit them. WIOA Youth co-enrollment with partner programs (like Adult/Dislocated Worker, TANF, CBOs etc.) lets eligible young adults (18-24) use services from multiple programs simultaneously, maximizing resources, avoiding service duplication, and creating seamless support for better job/education outcomes. Careful tracking to align services, shared responsibilities and funding, can provide an integrated multi-funded strategy for meeting each program's unique goals for youth success in the workforce.

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