

RFP 2023-003 Jobs for America's Graduates Service Provision

Questions & Answers

1. *Is there an approximate goal for the number of youth co-enrolled in JAG and WIOA?*
 - a. Answer - The number of students enrolled in WIOA through JAG should match the percentage of WIOA funding. Currently, we have close to 20% of our funds secured from WIOA, so 20% of our students should be enrolled in WIOA.
2. *Should we include youth wages for paid work experience in the budget we submit?*
 - a. Answer – Yes. You can see the policy as an attachment to this document.
3. *We created a DEI focused service-learning activity which requires participants to create public service announcements about issues related to systematic inequalities, etc. Would this be allowable with the JAG requirements. Are the participants able to participate after-school/weekends to complete these activities?*
 - a. Answer - The DEI service project sounds like a great activity for JAG! We encourage students to participate after school and on weekends when needed, but that has been challenging to coordinate.
4. *Would it be possible to get the current wages for the JAG staff?*
 - a. Answer – The current minimum starting salary for a JAG Specialist is \$40,000. Most Specialists start above this minimum depending on their experience.
5. *There is JAG training right in July for new and current staff members, is there a cost difference for new and current specialists?*
 - a. Answer – The training is in Louisville this year. There is no cost difference based on the tenure of the staff.

Resources

Dashboard > EmployIndy Policies > Chapter 6: WIOA Title I > Section 3: Services > WIOA Youth Work Experiences

WIOA Youth Work Experiences

Purpose

To establish criteria around valid Work Experiences (**WEX**) under the Workforce Innovation and Opportunity Act (**WIOA**).

Scope

To establish criteria around valid WEXs under the Workforce Innovation and Opportunity Act (WIOA).

Affected funding streams: WIOA Youth

Responsible Parties

Service Providers are responsible for implementing all facets of this policy, appointing those who will carry out the daily activities and assisting in drafting any necessary procedures required to fulfil the requirements of this policy.

EmployIndy's K-12 and Neighborhood Departments are responsible for oversight, implementation, and revision of this policy.

Policy Statement

WEXs are designed to provide career exploration for opportunities and help youth understand in-demand employability skills, while meeting employer expectations that are necessary in order to attain and retain employment in today's job market.

WEXs shall:

1. Be paid or unpaid, as appropriate;
2. Provide the youth **participant** with opportunities for career exploration and skill development, as defined in the participant's **ISS** plan;
3. Include academic and occupational education

The four categories of work experiences for youth:

1. Summer employment opportunities and other employment opportunities available throughout the school year: A short-term employment opportunity or work experience, either full or **part-time** that is conducted mainly during the summer months or for a similar timeframe during other months of the year. This includes in-school and out-of-school youth.
2. Pre-apprenticeship programs: As defined in 20 C.F.R. § 681.480, a pre-apprenticeship is a program designed to prepare individuals to enter and succeed in an apprenticeship program registered under the National Apprenticeship Act and includes the following elements:
 - o Training and curriculum that aligns with the skill needs of employers in the economy of State or region involved;
 - o Access to educational and career counseling and other supportive services, directly or indirectly;
 - o Hands-on meaningful learning activities that are connected to education and training activities, such as exploring career options, and understanding how the skills acquired through coursework can be applied toward a future career;
 - o Opportunities to attain at least one industry-recognized credential; and
 - o A partnership with one or more registered apprenticeship programs that assists in placing individuals who complete the **pre-apprenticeship program** into a registered apprenticeship program.
3. Internships and **job shadowing** :
 - o An internship is a form of learning that integrates classroom knowledge with practical application and skills development in a professional setting. Internships should be viewed as an extension of the participant's educational experience and, where possible, should align with their career interests and pathways. Internships can be paid or unpaid but should align with the Fair Labor Standards Act.
 - o Job-shadowing is a work experience option where youth learn about a job by walking through the workday as a shadow to a competent worker. The job shadowing work experience is a temporary, unpaid exposure to the workplace in an occupational area of interest to the participant. Youth witness, firsthand, the work environment; employability and occupational skills in practice; the value of professional training; and potential career options. A job-shadowing experience can be anywhere from a few hours to a day, to a week, or more. Job-shadowing can be thought of as an expanded informational interview.
4. **On-the-job training** opportunities: As defined in DWD's On-the-Job Training (**OJT**) Guidelines, on-the-job training is training provided by an employer to a paid participant who is engaged in productive work in a job that:
 - o Provides knowledge or skills essential to the full and adequate performance of the job;

- Is made available through a program that provides reimbursement to the employer a percentage of the wage rate of the participant; and
- Is limited in duration as appropriate to the occupation for which the participant is being trained, taking into account the content of the training, prior work experience of the participant, and the service strategy for the participant; and
- Provides the expectation that the employer will hire the OJT participant upon successful completion of the OJT.^[1]

The following categories of youth work experiences paid for using WIOA Title I funds must follow these set parameters:

WEX	Minimum Hours	Maximum Hours	Minimum Wage	Maximum Wage
Job Shadowing (one opportunity per student per semester limit)	7 hours (per semester)	7 hours (per semester)	If paid, no less than \$50 stipend per occurrence	If paid, cannot pay more than \$100 stipend per occurrence
Summer Employment and other employment opportunities)	40 hours	320 hours	Indiana Minimum Wage	Cannot pay greater than wage paid to employees in comparable positions
Pre-Apprenticeship	160 hours	320 hours	Indiana Minimum Wage	Cannot pay greater than wage paid to employees in comparable positions
On-the-Job Training	160 hours	520 hours	\$17/hour	No more than \$17,680

Job Restrictions

Child Labor Rules restrict the jobs that youth may perform on the basis of the age of the youth and the type of employment:

- A youth 18 years or older may perform any job, whether hazardous or not, unless restricted by local policy.
- A youth 16 or 17 years old may perform any job not identified as hazardous^[2] by the Secretary of Labor.^[3]

EmployIndy and their Employer of Record have the right to disallow an employer and restrict participant WEX placement if the placement does not provide a meaningful experience, is potentially hazardous or harmful to the participant, or could increase EmployIndy's or the Employer of Record's liability.

Employer Eligibility

Employers providing a WEX to a participant will meet the following guidelines:

1. The employer must not be involved in a current labor dispute and must not have a history of frequent layoffs. The employer must not utilize a Work Experience agreement to displace currently employed workers, replace laid-off workers, or reduce the hours of current employees below their normal schedule.
2. The employer is an equal opportunity employer and complies with all relevant local, state, and federal laws.
3. Appropriate standards of health and safety will be maintained in the participant's work and learning environment.
4. The employer must provide adequate worker's compensation insurance coverage.

Employers providing an OJT, must follow EmployIndy's OJT Policy.

EmployIndy reserves the right to terminate a Summer Employment, Pre-Apprenticeship, or OJT contract if the employer does not meet or follow the guidelines of this policy.

Exceptions

Exceptions to this policy may be granted by EmployIndy's Executive Team. See the [Policy Exception Procedure](#).

Procedure and Best Practice

Governing Laws, Rules, and Policies

Under Section 129(c)(2) of WIOA, work experience (WEX) is one of the fourteen (14) required program elements that must be made available to all registered youth and should be offered throughout the program year.^[4] The finalized rules cite work experience as a critical element that can be correlated to higher high school graduation rates and success in the labor market.

The Fair Labor Standard Act (FLSA) is a federal law that sets minimum wage, overtime, and minimum age requirements for employers and employees.^[5] The FLSA creates two classifications of employees for minimum wage and overtime purposes: exempt employees and non-exempt employees. FLSA minimum wage and overtime requirements apply differently to employees depending on how they are classified. It is also important to note that the FLSA standards may not be the only legal standards that apply to employers and employees regarding minimum wage, overtime, and child labor. Many states have enacted their own labor standards laws, some of which have higher minimum wage rates, more stringent overtime rules, and different child labor requirements with which employers must also comply.^[6]

(a) Work experiences are planned, structured learning experiences that take place in a workplace for a limited period of time. As provided in **WIA** section 129(c)(2)(D) and **§ 664.470**, work experiences may be paid or unpaid.

(b) Work experience workplaces may be in the private, for-profit sector; the non-profit sector; or the public sector.

(c) Work experiences are designed to enable youth to gain exposure to the working world and its requirements. Work experiences are appropriate and desirable activities for many youths throughout the year. Work experiences should help youth acquire the personal attributes, knowledge, and skills needed to obtain a job and advance in employment. The purpose is to provide the youth **participant** with the opportunities for career exploration and skill development and is not to benefit the **employer**, although the **employer** may, in fact, benefit from the activities performed by the youth. Work experiences may be subsidized or unsubsidized^[7].

Related Documents

Policy History

1. Rescinds and replaces EmployIndy policy 2017-002. Approved 10/3/2022, effective 11/1/2022.

References

- 1 https://www.in.gov/dwd/files/activepolicies/2017-10-P_Guidance_WIOA_Title_I_Youth_Work_Experience.pdf
- 2 <http://youth.gov/youth-topics/youth-employment/hazardous-jobs>
- 3 29 C.F.R § 570 et. seq. See U.S. Department of Labor “Fair Labor Standards Act Advisor.” <http://webapps.dol.gov/elaws/whd/flsa/docs/haznonag.asp>
- 4 29 U.S.C. § 3164(c)(2)(C)
- 5 29 U.S.C. § 201 et seq
- 6 29 C.F.R. § 541.4
- 7 <https://www.law.cornell.edu/cfr/text/20/664.460>