



PUBLIC POLICY No.: WIOA-06-2021

DATE: FRIDAY, DECEMBER 17, 2021.

SUBJECT: PUBLIC POLICY FOR THE CREATION OF THE COLLABORATIVE AGREEMENT TO ESTABLISH THE EMPLOYMENT EXPERIENCE ACTIVITY FOR THE YOUTH AND ADULT PROGRAMS OF THE MANATÍ/DORADO LOCAL WORKFORCE DEVELOPMENT AREA

REFERENCE: WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA).

INTRODUCTION

The Manatí/Dorado Local Workforce Development Area is a local service delivery investment area designated by the Governor to administer federal Workforce Innovation and Opportunity Act funds, better known as WIOA, to benefit the residents of the areas comprising the Manatí/Dorado Local Workforce Development Area in accordance with the requirements of the Act and the Local Board with respect to the provisions of the Act.

PURPOSE

Provide direction and guidance for the implementation of work experiences for eligible adults and dislocated workers as a career service. WIOA provides a work system to assist individuals in establishing a work history, demonstrating success in the workplace, and assisting them in developing skills that lead to stable employment.

As for Work Experience for Youth programs as defined in 20 CFR 681.600, they integrate the elements of academic and occupational education, through a service delivery system that helps them acquire the tools and skills they need to succeed and to connect employers with the skilled workers they need:

- Stabilize individuals and families with earned income.
- Knowing the expectations of workplaces.

- Remove obstacles to work.
- Build work history and references.
- Develop skills and gain meaningful work experience.

LEGAL BASIS

1. Public Law #113-128 of July 22, 2014, Workforce Innovation and Opportunity Act, in its Title I:
 - Section 3 - Definitions.
 - Section 129 - Youth Work Experience (c) (2) (C)
 - Section 134 – Occupational Skills Training (c)(3)(D)
2. Workforce Innovation and Opportunity Act Regulations. Federal Register, 20 CFR, Part 681.590; 681.600; 681.610; 681.630.

Applicable Definitions

- **Unsubsidized Work Experience-** unpaid learning experience that takes place in a workplace for a limited period of time.
 - **Work Experience Agreement-** Written agreement between the employer, the participant and the local area that outlines program requirements and expected outcomes.
 - **Work Experience (WE) -** An activity in which the participant is provided a placement in a part-time or short-term employment situation in a public or private for-profit or non-profit entity. It is used with participants who need to adapt to the basic requirements of employment. For this activity local areas must spend a minimum of 20% of local area funds. The activity is aimed at developing and promoting good work habits and basic occupational skills. The duration of participation will be for a reasonable period of time, based on the needs of the participant. For the Youth program this activity includes the following:
 - Summer employment and other employment opportunities available throughout the school year;
 - Pre-apprenticeship programs;
 - Internships and shadowing in an occupation or job;
 - On-the-job training.
3. DDEC-WIOA-02-20 - Youth Program Element Technical Assistance Guide (Program Element 3: Paid and Unpaid Work Experience (20 CFR 681.600).

PUBLIC POLICY:

The Local Board has determined to establish a policy to ensure that our participants receive appropriate services and quality services leading to job placement. It is established that any provider conducting an employment readiness activity shall comply with the following documents:

1. Current Municipal License
2. Certificate of Good Standing
3. Merchant Registration
4. Single Permit
5. Public Liability or Private Insurance Policy

Work activities are exchanges between the service provider and the program. Wages are provided by WIOA and paid directly to the participant. Labor standards apply in any work experience where an employee/employer relationship exists, as defined by the Fair Labor Standards Act. Our local area's public policy is based on providing a planned and structured learning experience that contributes to the participant's employment objectives or goals through measurable occupational training.

PROCEDURE

Eligibility for services is based on local determination subject to the individual's need and ability to benefit from services. A WIOA participant is an individual determined to be eligible to participate and who receives one or more services at the One-Stop Center. The record must reflect information as of the date the initial form or profile was completed, and the signature of the Case Manager who has reviewed the record information indicating that the individual is or is not eligible.

Career services and training services are designed to meet the needs of job seekers. WIOA classifies career services into three categories: basic career services, individualized career services, and follow-up services.

1. Job seekers and include services such as labor market information, job postings, and information on partner programs, [WIOA Section 134(c)(2) and Federal Register 678.30(a)].
2. Individualized Career Services- made available to assist individuals in obtaining or retaining employment. [WIOA Section 134 (c)(2), Federal Register 678.30(b)].
3. Follow-up Services- must be provided as appropriate for participants who are placed in unsubsidized employment for up to twelve (12) months after the first day of employment. Workplace counseling is one type of follow-up service.

[WIOA Section 134 (c)(2)(xiii), Federal Register 78.430 (c)].

THE WORK ACTIVITY

- Must have safe and healthful working conditions without safety and health violations.
- Shall not unlawfully discriminate in training or practice on the basis of race, color, sex, national origin, religion, physical or mental disability, political beliefs or affiliations, or age; [WIOA Sec.188 (a) (2)] [WIOA Sec.188 (a) (2)].
- Shall not terminate the employment of any current employees or reduce the workforce, either in whole or in part (such as reduction in hours or benefits) with the intent to fill the vacancy with a work experience participant; [20 CFR 683.270].

REQUIRED ACTION

The Local Area Executive Director will be responsible for informing the appropriate governing bodies of the approval of the public policy so that the latter may orient the personnel under their supervision and execute the public policy as established.

APPROVAL AND EFFECTIVENESS

The approval and effectiveness will be effective at the time of its approval by the members of the Local Workforce Development Board and the Board of Directors of Mayors of the Manatí/Dorado Local Workforce Development Area.

Signed and approved on Friday, December 17, 2021, in Barceloneta, Puerto Rico.

SIGNED

Miguel Vega-Rivera
President
Local Workforce Development Board

SIGNED

Hon. María M. Vega-Pagán
President
Board of Directors of Mayors