



## Program Management Policy

### TITLE: Adult Work Experience/Internship

**POLICY APPROVED BY:**

Heather Ficht  
 Heather Ficht (Jun 14, 2021 13:20 PDT)

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Gary North  
 Gary North (Jun 14, 2021 09:48 PDT)

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**Original Approval Date:**

October 18, 2016

**Current Policy Effective Date:**

July 1, 2021

**Revision Approved:**

March 14, 2018; June 8, 2021

**PURPOSE:**

To establish a policy to support the Workforce Innovation and Opportunity Act (WIOA) in providing work experience/internship opportunities to eligible adults and dislocated workers.

**POLICY:**

For the purposes of the Workforce Innovation and Opportunity Act (WIOA), a work experience, better known by employers as an “internship”, is a planned, structured learning experience that provides an opportunity for career exploration and skill development and takes place within the workplace for a specified and limited period.

A work experience/internship may be provided in the private, for profit, nonprofit, or public sectors. The work experience/internship must be linked to the participants career goals, however, unlike an On-the-Job Training contract, employers are not required to hire a work experience/internship participant, although in some cases the opportunity may result in an employment offer.

As further defined within the Fair Labor Standards Act, a work experience/internship opportunity shall not reduce current employees’ work hours, displace current employees, or result in a reduction of current employees. In addition, employers must adhere to all federal, state, and local laws governing employment.

Workforce Innovation and Opportunity Act (a) Section 188(a)(3) prohibits the use of funds to employ participants to carry out the construction, operation, or maintenance of any part of any facility used for sectarian instruction or as a place for religious worship with the exception of maintenance of facilities that are not primarily used for instruction or worship and are operated by organizations providing services to WIOA participants. (b) 29 CFR part 2, subpart D, governs the circumstances under which Department support, including WIOA Title I financial assistance, may be used to employ or train participants in religious activities. Under that subpart, such assistance may be used for such employment or training only when the assistance is provided indirectly within the meaning of the Establishment Clause of the U.S. Constitution, and not when the assistance is provided directly. That subpart also contains requirements related to equal treatment in Department of Labor programs for religious organizations, and to protecting the religious liberty of Department



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of Labor social service providers and beneficiaries.

WIOA providers must ensure that the work experience/internship is referenced in the participant's Individualized Employment Plan (IEP). The provider must also coordinate the execution of a Work Experience/Internship Agreement, detailing the training plan, the specific skill requirements, any assessments used for determining the participant's skills at the beginning of the opportunity, planned performance check-ins, and any skill attainments during the course of training.

When determining the duration of a work experience/internship activity, the provider should consider the overall objectives: the length of time necessary for the participant to learn the skills identified in the learning plan, the employer having enough meaningful work activities for the participant, and service provider budget. When determining the hourly wage for the work experience/internship, the provider should consider the average wage paid for the same or similar positions, the type of work performed, and the service provider budget.

In addition to the above, the agreement shall detail any wages paid, the training plan, dates for when the training shall begin and end as well as compliance with Fair Labor Standards Act, Equal Opportunity Employment and Non-Discrimination regulations, and any additional rules or assurances that may apply.

Finally, the WIOA service provider must carry work experience/internship as a paid opportunity.

#### **REFERENCES:**

WIOA Section 3

WIOA Section 134

20 CFR 678-680

2 CFR 200

Workforce Innovation & Opportunity Act, Training & Education Guidance Letter No. 19-16, March 1, 2017