

CONEXIÓN

LABORAL

ÁREA LOCAL MAYAGÜEZ - LAS MARÍAS

PUBLIC POLICY NO.: 2025-PP-WIOA-010

- DATE:** May 1, 2025
- SUBJECT:** Public Policy Activities Work Experience Adults, Displaced Workers and Youth Program
- ADDRESSED:** Local Board Members, Executive Director, Manager of the Single Management Center, Officials of the Single Labor Management System
- PURPOSE:** Establish public policy for the implementation of the Work Experience Activity under the Adult, Displaced Worker, and Youth Programs. In addition, the use of work agreements and documentation requirements for Work Experience is established.
- JURISDICTION:** This Public Policy applies to the Mayagüez - Las Marías Single Labor Management System made up of the municipalities of Mayagüez and Las Marías.

I. LEGAL BASE:

- Workforce Innovation and Opportunity Act (WIOA), (Public Law 113-128, July 22, 2014) sections 129(c)(2)(C), 129(c)(4), 134, 181, and 188.
- 20 C.F.R. parts 680, 681, and 683 (August 19, 2016).
- TEGL 19-16 - *Guidance on Services provided through the Adult and Dislocated Worker Programs under the Workforce Innovation and Opportunity Act (WIOA) and the Wagner-Peyser Act Employment Service (ES), as amended by title III of WIOA, and for Implementation of the WIOA Final Rule*, (March 1, 20 17).
- TEGL 21-16 - *Third Workforce Innovation and Opportunity Act (WIOA) Title I Youth Formula Program Guidance*, (March 2, 2017).

- DDEC - W IO A - 0 2 - 20 - *Technical Assistance Guide for Youth Programme Elements*, (7 July 2020).
- Child Labor Provisions for Nonagricultural Occupations under the Fair Labor Standards Act U. S. Department of Labor Wage and Hour Division Child Labor Bulletin 101 WH1330 REV 2016.
- TEGL 8-15 - *Second Title 7 WIOA Youth Program Transition Guidance*, (November 17, 2015).
- TEGL 23-14 - *Workforce Innovation and Opportunity Act (WIOA Youth Program Transition*, (March 26, 2015).
- TEN 13-12 - *Defining a Quality Pre-Apprenticeship Program and Related Too/s and Resources*, (November 30, 2012).
- TEGL 13-16 - *Guidance on Registered Apprenticeship Provisions and Opportunities in the Workforce Innovation and Opportunity Act {WIOA}*, (January 12, 2017).
- TEN 31-16 *Framework on Registered Apprenticeship for High School Students*, (January 17, 2017).
- Public Policy WIOA-PP-0 4-20 23 - State Development Board Oral Lab
- Experience of working under the Adult, Displaced Worker and Youth Programmes

11. DEFINITIONS:

1. Work Centers: Employers (sponsors) in the private for-profit, not-for-profit, and public sectors where the work experience takes place and who agree through an agreement to help participants acquire skills that will help them find employment opportunities.
2. Transitional Employment: Provides limited work experience to individuals who have barriers to employment due to chronic unemployment or an inconsistent work history. It can be an effective solution for individuals who need to gain work experience that they may not otherwise be able to obtain. It is intended for the participant to establish a work history and develop the skills that will allow them to obtain and retain unsubsidized employment.
3. Individual Service Strategy (ISS):

an individual plan of services designed specifically for each Youth Program participant and that must be directly linked to one or more WIOA performance indicators, indicate *career pathway*, include education and employment goals, appropriate achievement objectives, and appropriate services for the participant based on objective assessments conducted. The ISS is used as a basic tool for documenting case management and as a guide for providing the right mix of services for the youth, including those referred to other programs.

4. **Work Experience:** a planned and structured learning experience that is acquired in a workplace for a limited time, and related to the participant's professional path. The work experience can be paid or unpaid, depending on the case. and it can take place in the public, private or non-profit sector.
5. **Internship:** A planned and structured learning experience that takes place in a workplace for a limited time and may take place in the public, private, or not-for-profit sector. Internships must be directly aligned with the participant's long-term career path goal. They should also be designed to promote participants' exposure to new careers, develop pre-employment skills, "soft" skills, occupational knowledge and technical competencies for people who are moving from education or training to a new industry or occupation, but who lack the necessary experience to obtain entry-level employment in the relevant field.
6. **Fair Labor Standards Act (FLSA)** is the law that sets standards for minimum wage, overtime pay, and underage employment that affect full-time and part-time workers in the private sector and in the federal government. as well as in the state and municipal government.
7. **Job shadowing:** is a type of work experience that is designed to increase knowledge about occupational careers, help model the behavior of young people through examples. and reinforcing in young people the link and value between academic learning in the classroom and the requirements of a job. Job shadowing is a temporary, unpaid exposure to the workplace in an occupational area of interest to the participant. The experience can last from a few hours to a few weeks and in which you learn about a job by walking the workday in the shadow of a competent worker.

8. Individual Employment Plan (PIE): is an individualized career service developed jointly by the case manager/career planner and the participant as an ongoing strategy to identify employment goals, achievement objectives, and the appropriate mix of services for the Adult Program or Displaced Workers Program participant to achieve their goals.
9. Pre-apprenticeship: is a program designed to prepare individuals to enter and succeed in a registered apprenticeship program and includes the following elements: (a) training and curriculum that fits the skills needs of employers in the state or regional economy; b) access to educational and career counseling and other support services, direct or indirect; (c) practical and meaningful learning activity that is related to education and training, such as exploring career options and understanding how the skills acquired in the courses can be applied to a future career; (d) opportunities to obtain at least one industry-recognized credential; and (e) an association with one or more registered apprenticeship programs that assist in the placement of individuals completing the Pre-apprenticeship program in a registered apprenticeship program.

For adults and displaced workers, pre-apprenticeship is considered a training service.

10. Participant Record Information System (PRIS): PRIS is the programmatic information registration tool for authorized participants under Title 1 (Youth, Adult, and Dislocated Worker Programs) and Title 111 (Employment Service) of the Workforce Innovation and Opportunity Act (WIOA).
11. Career pathway: means a combination of rigorous and high-quality education, training, and other services that meet the skill needs of the industries of the state or regional economy concerned and prepare an individual to succeed in any of a full range of secondary or post-secondary education opportunities, including registered learning.

111. **BACKGROUND:**

Work Experience (ET) is a programmatic activity that can be offered to participants, which is identified as a career service for the Adult and Displaced Worker Programs (Section

134(c)(2)(A)(xii)(VII) of the WIOA Act) and as an element of the Youth Program (Section 129(c)(2)(C) of the WIOA Act). In turn, ET is conceived as a planned and structured learning experience that takes place in a workplace during a specific and limited period of time. In addition, ET can be paid and unpaid and can be offered in the public, private, or non-profit sector.

Work experiences are designed to help individuals explore careers, establish a work history, demonstrate success in the workplace, and develop the skills that lead to entry and retention in unsubsidized employment. For this reason, it must be designed with the aim of increasing the employability of individuals.

The ET activity should be particularly targeted at individuals who:

1. They have never worked;
2. Have not had significant participation in the labor force or
3. They have been out of work for a long period of time and their basic skills and good employment habits have been affected.

IV. PUBLIC POLICY

In compliance with Public Policy WIOA-PP-0 4-2023 approved by the State Workforce Development Board on August 17, 2023, we issue the following public policy:

A. Experience of Work for Adults and Displaced Workers

ET for adults and displaced workers focuses on learning new transferable skills and improving their employability.

1. The ET of adults AND displaced workers should be included in the Individual Employment Plan (PIE) and in which reference should be made to the lack of skills and the need for training of the participant.
2. There are several types of ET for adults and displaced workers
 1. Work experiences
 2. Boarding schools
 3. Transitional Jobs
3. Internships and other types of work experience for adults and displaced workers do not require other career or support services except in the case of transitional employment.

4. There is no minimum percentage of funds for adults and displaced workers that can be spent on work experiences.
5. If the Career Planner determines that individualized career services, including internships and work experiences that are linked to careers, are appropriate for an individual to obtain or maintain employment, these services will be made available to the participant. The Case Manager must document the participant's need to complete work experience and may use recent prior evaluations of other CGU/AJC partner programs to determine whether individualized career services would be appropriate.
6. Work Experience cannot be substituted for the activity of On-the-Job Training (OJT), as they are aimed at eligible people with different occupational needs and pursue different purposes.

B. Element of Experience Work of the Youth Programme

1. Activities under the *Work Experience* element of the Youth Program provide eligible participants with opportunities for career exploration and skill development.
2. Activities under the work experience element must be linked to the goals identified in the youth's Individual Service Strategy (ISS) and It may include the following:
 - a. Summer employment opportunities and other employment opportunities available throughout the school year;
 - b. Pre-apprenticeship programs;
 - c. Entered;
 - d. Job shadowing; y
 - e. On-the-Job Training (OJT) as defined in section 3(44) of the WIOA Act and public policy DDEC W IO A-0 4-20 22.

C. Academic-occupational component of the ET Youth Program

Local areas should offer paid and unpaid work experiences for young people that have both academic and occupational education as components. The

Academic and occupational component refers to the continuous learning that accompanies work experience. It includes the information necessary to understand and work in specific industries and/or professions. Examples of the academic and occupational component are provided:

- a. A retail salesperson may require learning the following professional skills: greeting customers; recommending, selecting and helping to locate goods; calculating sales prices; stock the gondolas. The main academic skills you should learn: marketing strategies, calculating change, acquiring product knowledge.
- b. A gondolier or stocker may require learning the following professional skills: completing order receipts; obtaining the goods from the containers or shelves; read orders to determine size, color, or quantity; place the items on the shelves. Academic skills to learn: understand the FIFO (first in - first out) inventory calculation method; understand the current customer base; Microsoft office; lifting items correctly; understand quality standards, among others.

In the case of participants, the participant must have recently completed or is about to complete a training or education program, including an ITA or occupational skills training, in a particular sector. In addition, the participant must need to acquire practical work experience in order to access a job related to the field of training or education.

D. 20% Spending Requirement - Work Experience for Youth

JL DLs must use at least 20% of their annual allocation per form of Youth Programme funds to provide "youth in school" and "out-of-school youth" with paid and unpaid work experiences for the period (two years) at the local level (does not include administration funds). Local Boards should track funds spent on work experiences, including salaries and personnel costs for the development and management of work experiences, and report such expenditures as part of Youth Program expenditure reports.

E. Skills analysis / development of the training plan of the Work Experience activity for Adults, Displaced Workers and Youth,;:

1. The Career Planner (Case Manager) should conduct an individual analysis to determine the skills the participant needs to acquire. Skills that the participant may have acquired from previous work experiences are potentially transferable and can be used in any occupation, regardless of the type of work. Transferable skills are distinct from job-related competencies, which are usually used only in one type of work.
2. The analysis of the participant's previous work history, acquired skills and transferable skills, must be compared with the work skills/skills that the employer requires in the occupation of the ET. The resulting skills gap will be the basis for the development of ET.
3. There are several assessment tools that the case manager can use to conduct a skills needs analysis and to provide adequate documentation of the process used to develop the PIE or ISS. For example, the web pages [o•NET Online](#) and [.ww w.m and skil lsm yfu tu re.or g](#) were developed by the U.S. Department of Labor and include analysis of the skills required in different occupations.

F. Selection of the centre or workplace

1. A combination of public, private, and not-for-profit employers, providing year-round employment opportunities, will help meet the needs of participants.
2. Locating a WIOA participant with the appropriate workplace is critical to a successful activity. Work center supervisors should have a clear understanding of the objectives of the TE and the realistic expectations of work outcome and productivity that a WIOA participant can demonstrate. The participant must have adequate supervision. like any other entry-level or entry-level employee.
3. This policy disallows placing participants in a TTE at the JLDL, UGC/AJC office, or the offices of the JLDL.

Ad m in ist rat ivas of the local area, due to possible conflicts of interest.

4. WIOA funds cannot be used for work experience that promotes or supports the cultivation, manufacture, distribution, and dispensation of medical cannabis (medical marijuana) because the medical use of marijuana has not been accepted in the federal jurisdiction and, therefore, medical cannabis centers at the federal level are illegal.
5. On the other hand, section 188 of the WIOA Act prohibits participants from
Work in the construction, operac lon o
m an t en im ient o de a inst ala ci on n that It is mainly used for the
institution or religious worship.
6. Work placements are permitted in faith-based community organizations, provided that the participant does not participate in religious activities, such as religious worship, instruction or proselytism. In addition, participants in oral laboratory experience can only be placed in faith-based organizations that do not discriminate against an eligible person, who seeks help, because of their convictions r elig io sas.

G. Agreements with the work center sponsor

1. In paid work experiences, the local area (service provider or workforce development system partner) usually pays the participant for the hours of work. Therefore, the employer-employee relationship will be between the local area (service provider or partner program) and the participant.
2. The contractual relationship between the business, agency or organization where the ET occurs (in ad elant e sponsor) and the local area will be carried out through work agreements, complying with federal, state and Municipal Code requirements according to Applique.
 - a. **The** purpose of the work center agreement is to establish a formal training relationship with a work center, to specify the responsibilities of each party to the agreement, and to provide a successful and enriching ET for the WIOA participant.
 - b. The agreement of the work centre must articulate the learning that will be carried out, the duration of the ET and the academic and occupational competencies that will be carried out.

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- c. The work center agreement must be completed and be signed before the start of the ET.
- d. Documentation must be provided that the workplace sponsor received formal training on what ET is.
- e. One (1) agreement may be drafted for a group of participants working at the same sponsoring site, provided that the working conditions, job description, salary, and terms of the agreement are the same for all covered participants and that the placement conforms to each participant's PIE/ISS and training.
- f. The employer of the Work Center shall submit the following documents:

Copy of the Employer's Social Security

Resp insurance or nsab ilid ad - that covers participants while they are active in the Work Experience

Copy of the Single Permit

If a copy of the Certificate of Good Fortune ("Good St and in g") issued by the Department of State is attached,

These minimum required documents apply only when it is the local area or service provider that pays the wages to participants of the different types of work experience and not the employer who serves as the sponsor of the work center.

H. Duration of the work experience activity

1. A work experience should not be offered for long-term skill development within the occupation, but rather as an entry step for the participant to explore the occupation, develop their skills, obtain a track record of Work garlic and ref erenc ias. For this reason, the ET should not exceed six (6) months or 1.0 4 0 hours, whichever occurs first for participants in the Adult, Displaced Workers and Out-of-School Youth Programs. In I o q u e res pe et a a I os J o ven es in the E s c u e l a se authorizes up to a maximum of 520 hours. It is You can make exceptions to this limitation in the

duration of the activity, however, all the exception must be reasonably supported by the PIE or ISS.

2. The JLDLs, in the light of the experience of the Career Planners, may set limits or expand the terms of duration herein provided, subject to the needs of the client to serve in their respective local areas and the skills to be acquired by the participants through the ET, providing that in no case may the term of duration of the ET exceed one year. Each particular case shall refer to the attention of the Local Board or the Committee designated by it.
3. The duration of a Pre-apprenticeship program can vary depending on the program and the sector for which it prepares people. Therefore, exceptions to the six-month limit may be considered.
4. Once the ET is completed, it is expected that the participant will be prepared to obtain unsubsidized employment. It will be determined by an evaluation whether the participant developed the expected skills, as conceived in the PIE, through which. this will be placed in the job. Otherwise, the participant may receive other service(s). In this case, the need for services must be reasonably supported in the participant's file. You will not be allowed to participate in the ET activity again.

1. Limit of 20% of expenses for work experience in the public sector

This policy establishes a maximum expenditure of 20% of the employment experience funds of each Title 1-B program (youth, adults, and displaced workers) for placement in the public sector.

J. General provisions

1. Participants (adults, displaced workers, and youth) enrolled in a paid ET will not receive hourly compensation less than the state or federal minimum wage, whichever is greater. Participants will be compensated only for the hours worked, as documented in the participant's ET attendance record and the required fringe benefits. Participants are not allowed to work overtime and cannot be compensated for:
 - Sick leave:

- Licencia for holidays; y
 - A holiday recognized by the employer as a "paid holiday."
2. The employer/sponsor shall provide for participants employed in WIOA Title I activities. benefits and working conditions at the same level and to the same degree as other apprentices or employees working for a similar period of time and performing the same type of work as other apprentices or employees.
 3. The employer/sponsor shall provide the participant with an appropriate work environment which includes, but is not limited to: appropriate safety and health conditions, equipment, materials, etc.
 4. The sponsor must ensure that he or she has sufficient work for the participant, that he or she will provide adequate supervision for the participant, and that he or she will cooperate with the Local Area or subrecipient of WIOA funds to achieve the goals set for the participant.
 5. Work experiences that are used directly or indirectly to assist, promote or dissuade a trade union organization cannot be provided.
 6. Temporary Employment Agreements may not be provided that are used directly or indirectly to help fill a job that is vacant because the former occupant is on strike, or is blocked in the course of a dispute or employment, or his or her occupation is an issue in a labor dispute involving a work stoppage.
 7. The ET must not prejudice service contracts or contracts with the use of the Workers' Statute I a o r g a n i z a c i o n
laboral and the employer give their written consent before the activity begins.
 8. Section 181(d) of the WIOA Act states that funds must not be used or proposed to:
 - a. Encourage or induce a business, or part of a business, to relocate from a location in the United States, if the work results in any employee losing his or her job at the original location;
 - b. No person may be placed in a work experience activity in any company or part of a company.

If the company has relocated from any location in the United States, until the company has operated at the new location for 120 days or more, relocation has resulted in any employee losing their job at the original location.

9. ET may not be used as a subterfuge and/or substitute for Public Service employment, subsidized with WIOA Title I funds
10. A participant in any ET activity must not displace any regular employee (as of the date of participation). This includes a partial displacement. such as a reduction in working hours (other than overtime), wages, or employment benefits.
11. The ET may not infringe in any way with the promotion opportunities of workers currently employed by the employer on the date of participation.
12. Sponsoring employers must follow section 188 *Nondiscrimination* of the WIOA Act.
13. The health and safety standards established under state or federal laws applicable to the sponsoring employer's conditions are: equally applicable to participants in WIOA Title I programs and activities.
14. Participants will be covered by the Workers' Compensation System Act. If state workers' compensation law does not apply to the ET participant, the employer must provide insurance coverage for injuries sustained by the ET participant in the course of the activity.
15. No person may be placed in work experience if a member of that person's immediate family is directly supervised by or directly supervises that individual.

K. Really cool.of Documentation to be included in the participant's file

Documentation of work experience must be kept in the participant's electronic and physical file (as applicable). At least the following documents will be kept in the participant's file:

1. An objective evaluation and the PIE or ISS. as applicable. indicating the participant's need for work experience;
2. A copy of the agreement between the participant, the workplace, and the local area, including those annexed to the agreement, as a training plan;
3. Work itinerary, attendance sheets and performance evaluations. as appropriate; y
4. Documentation of the receipt of salaries. incentives, stipends, and support services received by the participant.
5. Participant follow-up notes.

All documents and case entries must be entered into the Participant Record Information System (PRIS).

V. SEVERABILITY CLAUSE :

If any provision of this public policy is challenged by the Court and declared unconstitutional or null and void, such decision shall not affect, impair or invalidate the remaining provisions of this public policy, but its effect shall be limited to the provision or topic specifically indicated. The nullity or invalidity of any provision or topic shall not affect or impair in any way its application or validity in any other case. except when specifically and expressly invalidated for all cases.

VI. CONTRACTING:

Contracts will be worked in faithful compliance with Law No. 18 of October 30 , 1975, as amended, Regulation 33: Registration of Contracts of the Office of the Comptroller of the Commonwealth of PR, Circular Letter OC-21-11 of May 12, 2021 issued by the Comptroller of PR and any other applicable legislation.

VII. COMPLIANCE:

Compliance with the provisions and requirements established in this public policy will be evaluated by the Monitor assigned to the Local Board as well as its functions.

At least you should evaluate the following:

1. Roles of the employer, participant, and Local Board staff;
2. Included in the monitoring process will be workplace visits and interviews with participants and supervisors by persons who are not responsible for handling the workplace agreement or handling of participants' cases.
3. The validation of the acquisition of skills and competencies by the participants.

JLDLs must ensure that employers and participants agree to cooperate with the monitoring

requirements made by the State and/or the JLDL and adhere to applicable local, state, and federal rules and regulations.

VIII. FAIR PRACTICES AND ACCESSIBILITY

All persons shall have the same opportunities and access to physical services and facilities without regard to race, religion, color, sex, age, national origin or ancestry, marital status, parental status, sexual orientation, disability, or veteran status. Staff members will be responsible for ensuring necessary support for participants with disabilities who need assistance in accessing CGU/AJC facilities and services

IX. ACTION REQUIRED

The Executive Director and the designated official will be responsible for disseminating this public policy, as well as to train the Officials of the Single Labor Management System in relation to this public policy. In addition, they must answer all queries or requests for information related to it. The Executive Director of the Local Board will be responsible for sending a copy to the Evaluation Specialist of the Office of Planning, Evaluation, Validation and Statistics of the Labor Connection Program, no later than sixty (60) days after approval.

X. INTERPRETATION

The words and phrases in this policy shall be construed in accordance with the context and meaning endorsed in common usage, except where specifically defined. The words used in the present tense also include the future; those used in the masculine gender include the feminine and neuter, except in cases where such an interpretation is absurd; the singular number includes the plural and the plural includes the singular, provided that the interpretation does not contravene the purpose of the provision. The time terms, in days, set forth in this policy, refer to calendar days.

XI AMENDMENT

This policy renders null and void procedures, administrative orders, communications and others approved prior to the approval of this Public Policy

XII. VALIDITY:

This public policy was approved by the Mayagüez - Las Marias Local Board in a meeting held on May 1, 2025. It will begin to take effect on May 1, 2025, and will be in force until it is amended or repealed by the Local Board.

For the record, I sign this public policy in Mayagüez, Puerto Rico on the 1st day of the month of May 2025.



José A Justiniano Rodríguez
Presidente Junta Local

A separate public policy is being issued, in relation to this activity.

' In the case of Young People, it refers to the activities under the element of Work Experience.