

**Southern Nevada Workforce Investment Board
General Policies and Procedures
WORK EXPERIENCE & INTERNSHIPS**

EFFECTIVE DATE: July 1, 2009

NUMBER: 3.11-A

**Supersedes SNWIB General Policies and Procedures
No. 3.11 dated 7-1-2000**

AUTHORIZATION: SNWIB Manager

I. BACKGROUND:

Work experience and internships are similar in their structure and the Southern Nevada Workforce Investment Board (SNWIB) views them as synonymous for the purpose of employment and training services for adults, dislocated workers and youth. Individuals completing work experience/internship programs are eligible to receive appropriate certificate and/or credential of completion:

- A. Work Experience/Internships: A planned, structured learning experience that takes place in a workplace for a limited period of time. This includes a work study program which enriches the client's academic knowledge, and offers work experience toward the client's specific career goals. [§663.200 (b), §664.460(a), State Policy 1.8].
- B. For the purposes of Adult and Dislocated Workers, work experience and internships are considered "Intensive" activities.

II. GENERAL WORK EXPERIENCE/INTERNSHIP PROVISIONS

General provisions for determining the appropriateness of work experience/internship activities are intended for individuals who fit the following categories:

1. Have little or no prior experience in the workplace;
2. Have experienced difficulty in maintaining employment in the past due to barriers that can best be addressed and overcome through work experience enrollment;
3. Have a need to experience the fundamentals of maintaining consistent employment.
4. Dislocated Workers who have been recently dislocated from the employment that existed over a long period of time generally do not qualify for work experience enrollment. All exceptions must have documented justification in the client's file.
5. Have selected a specific career goal and have been provided or is currently attending training in this occupational area.
6. Have little or no previous experience in their occupation of choice.
7. Can be placed at a worksite that will provide occupation specific knowledge and

experience in their area of occupational choice toward meeting their specific career goals.

IV. **GENERAL PROVISIONS FOR DEVELOPMENT OF WORK EXPERIENCE/INTERNSHIP AGREEMENTS AND/OR CONTRACTS:**

- A. The intent of a work experience/internship activity is to **obtain experience**. It is not the intent for a work experience/internship employer to enter into a contract with the knowledge that the client will be hired at the conclusion of training. These types of arrangements would be more appropriate as On-The-Job Training activities.

If an employer chooses to create a position following the work experience/internship enrollment due to their desire to retain the client, this is allowable.

- B. Care must be taken when documenting the justification for these activities. Participants' work experience/internship contracts or agreements must indicate the following:

1. Participants' assessments must establish that work experience/internship is needed to prepare the individual for unsubsidized employment or career training.
2. Participants' individual employment plans must identify their work experience/internship field of training, outlining goals and objectives with defined timelines and projected completion dates.

- C. Parameters for identifying required elements and development of work experience/internship agreements/contracts are as follows:

1. Work experience/internships may be paid or unpaid, as appropriate.
2. Work experience/internships may be in the private for profit sector, the nonprofit sector, or the public sector.
3. Labor standards apply in any work experience/internship where an employee/employer relationship, as defined by the Fair Labor Standards Act, exists.
4. Work experience/internship clients cannot be placed in a job that may cause the displacement of a regular employee. **Documented assurances that this will not occur must be part of the work experience/internship contract.**
5. Work experience/internships are for a limited time. The SNWIB has established the maximum period for work experience/internship enrollments **not to exceed 6 months**. Extensions to the SNWIB's time period must be submitted in writing to the SNWIB and approved by the SNWIB Board Manager or Deputy Board Manager.

V. **GENERAL PROVISIONS FOR CONTRACTING AND/OR ESTABLISHING AGREEMENTS WITH WORK EXPERIENCE/INTERNSHIP EMPLOYERS:**

A worksite agreement, or contract, must be in place prior to the client beginning this activity. The contract must include the following provisions, and a copy of the agreement must be maintained in the client file:

- A. Specific dates of enrollment in the work experience/internship activity (i.e., start date and end date);
- B. A complete job description, including specific skills to be obtained;
- C. A statement of hourly wage to be paid, estimated total hours of enrollment, as well as total contract obligation;
- D. Signatures of service Provider, employer, and client.

VI. **GENERAL PROVISIONS FOR WORK EXPERIENCE/INTERNSHIP ATTENDANCE AND WAGES**

Provisions for wages under the amendments to the Fair Labor Standards Act (FLSA) apply to all participants employed under WIA. Effective July 24, 2009; minimum wage will increase to \$7.25 per hour.

Although there is no maximum hourly wage required by SNWIB, proper care should be taken to assess the appropriate training wage. The hourly wage should not exceed that which is common for like training /entry-level positions in the industry.

Federal income taxes must be withheld at an appropriate rate as determined by the client's W-4. Employer of record must provide each youth with a W-2 form at the end of each calendar year as required by law. No allowances are made to pay trainees for holiday, overtime, or sick leave pay.

Documentation of hours and wages must be maintained as follows:

- A. Wage payments must be at the same rates as similarly situated employees or trainees. Work experience/internships shall never pay less than the State of Nevada or local minimum wage laws.
- B. The SNWIB has determined that work experience/internship wages should not exceed that which is common for like training /entry-level positions in the industry.
- C. Work experience/internships will be limited to 40 hours per week for adults. No allowances are made for holiday, overtime, or sick leave pay.
- D. Service providers are required to complete an IRS form W-4 for the client prior to the commencement of these activities. Federal income taxes must be withheld at an appropriate rate as determined by the client's W-4. A W-2 form shall be issued to work experience/internship clients as the end of each calendar year.

- E. It is the service provider's responsibility to maintain Workers' Compensation insurance for each Work experience/internship clients.
- F. Documented time spent, wages paid, and goals to be obtained must be part of a WIA client's file.