

## TITLE: Work Experience (WorkEx) Policy #2.3.3-R1

Type: Program Policy

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Effective Revision Date: 04/24/2025

Status: Final

Supersedes: WIA Policy #570R1 & PacMtn Policy #2.3.3

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### Purpose

To provide policy direction and guidance for the implementation of Work Experiences (WEXs) for WIOA eligible Adults and Dislocated Workers as an individualized career service within Career Services. WIOA provides for a workforce system that is job driven. The WEX program provides work experience to assist individuals in establishing a work history, demonstrate success in the workplace, and develop skills that lead to stable employment.

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### Policy

A Work Experience (WEX) opportunity may be provided as an individualized career service to enrolled Adults and Dislocated Workers who have met the priority of service requirements, in alignment with WIOA Sec. 134(c)(2)(A)(xii), 20 CFR 680.180, and TEGL 19-16. Work experience is defined as a planned, structured learning experience in the workplace for a limited duration, contributing to the participant's employment goal(s). Work experience placements may be in the private-for-profit, non-profit, or public sector and may be paid or unpaid, as appropriate. A WEX is not designed to replace an existing employee or position.

Wages are provided by the WIOA service provider and paid directly to the participant, establishing an employer/employee relationship between the service provider and the WEX participant. All labor standards apply in any WEX where an employer/employee relationship exists, as defined by the Fair Labor Standards Act (FLSA).

Employers are not monetarily compensated for hosting WEX participants. Work experience participants may be eligible for supportive services (e.g., transportation, tools, uniforms, and childcare) per WIOA Title I-B Policy 5602-5 and WorkSource System Policy 1020 (Rev2). Additionally, follow-up services must be available for up to 12 months post-exit to support job retention and career advancement per WIOA Title I-B Policy 5620-1 and TEGL 10-16, Change 3.

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### Policy Guidelines

A Work Experience (WEX) may consist of:

- WEXs must provide a planned and structured learning experience that will contribute to the achievement of the participant's employment goals through a measurable training component

- Are designed to assist individuals to establish a work history, demonstrate success in the workplace, and develop the skills that lead to entry into and retention in unsubsidized employment.
- WEX agreements must be signed by all parties prior to the start of the WEX.
- A single WEX Agreement may be written for group training with a single training site provided the working conditions, job description, training plan, wage rates and terms of the Agreement are the same for all participants covered by the Agreement.
- WEX agreements may be modified. All modifications must be in writing and signed by all parties prior to the effective date of the modification. Verbal modifications of WEX agreements are not valid.

#### **WEX Funding/Duration Limits:**

- WEXs are subject to a maximum duration of 6 months with the same (\$7,000) maximum funding limit as stipulated for training in the PacMtn's Individual Training Account Policy #2.3.1-R1.

#### **WEX Monitoring:**

- WIOA program staff must ensure regular and on-going monitoring and oversight of the WEX. Monitoring may include on-site visits and phone/email communication with the employer/trainer and participant to review the participant's progress in meeting training plan objectives. Any deviations from the WEX agreement should be dealt with promptly.
- The WIOA program operator's oversight of the WEX participant's training and payroll records may be reviewed by Federal, State and local fiscal and program monitors. These entities will have the right to access, examine and inspect any site where any phase of the WEX program is being conducted. The service provider will maintain its records and accounts in such a way as to facilitate the audit. Records must be maintained for three (3) years after the conclusion of the WEX.

#### **Transitional Jobs:**

- WIOA permits local areas to offer transitional jobs which are limited work experiences, that are subsidized and for those individuals with barriers to employment because of chronic unemployment or inconsistent work history. There are limits on the amount of funds local areas may use. Refer to PacMtn Policy #2.3.5-R1 - Transitional Jobs and TRJ Agreement.

*Any discrepancies arising between PacMtn policy and or procedures with federal and state provisions due to current or future revisions will default to the current minimum federal and state regulations and guidance available. PacMtn policy and or procedures may set forth stricter requirements than provided by federal and state guidance, but in no case will PacMtn policy and or procedures not meet minimum federal and state policy.*

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## Definitions

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NA

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## References

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WIOA Innovation and Opportunity Act of 2014

WIOA Final Rule; 20 CFR Parts 676,677, and 678; Federal Register, Vol. 81, No. 161, August 19, 2016

WIOA Final Rule; 20 CFR Parts 603, 651, 652, et al; Federal Register, Vol. 81, No. 161, August 19, 2016

TEGL 19-16

TEGL 10-16, Change 3

WorkSource System Policy 1019 (Rev12) – Eligibility Policy and Handbook

WIOA Title I-B Policy 5602 (Rev5) – Supportive Services & NRPs

WIOA Title I-B Policy 5620 (Rev1) – Follow-Up Services

US DOL Wage and Hour Division [www.dol.gov](http://www.dol.gov)

PacMtn Policy #2.3.5-R1 - Transitional Jobs

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