



**PUBLIC POLICY REGARDING THE WORK EXPERIENCE AND INTERNSHIPS
LINKED TO OCCUPATIONS AND CAREERS
ADULT AND DISLOCATED WORKER PROGRAMS
INDIVIDUALIZED CAREER SERVICE**

I. INTRODUCTION

The Workforce Innovation and Opportunity Act (WIOA, for its English acronym) was enacted on July 22, 2014, and effective on July 1, 2015. It is designed to help people that are searching for a job have access to job offers, education, and training and support services in order to succeed in the labor market, and at the same time for the employers to have access to employees with skills to compete in the global economy.

The work experience and internships linked to occupations and careers are an individualized career service. They are described as learning activities, planned and structured, which take place in a determined work area for a determined period of time. They can be paid or unpaid and can be developed both in the public or private sector, for profit or non-for-profit.

II. LEGAL BASE

- Sections 134 (c) (2) (A) (xii) (VII) of the Workforce Innovation and Opportunity Act, (WIOA)
- Federal Regulation of the Workforce Innovation and Opportunity Act (WIOA, for its English acronym), Parts 680.160 and 680.180
- TEGL 16-16 of January 18, 2017: *One-Stop Operations Guidance for the American Job Center Network*
- Planning Guidelines, issued by the Labor Development Program, on June 7, 2019
- Written communication: *Scope of the Prohibition to Fund Employment in the Public Service Sector with Title I Funds*

III. DESCRIPTION OF THE ACTIVITIES

- A. **Job Experience** – Activity planned and structured for a limited period of time, which takes place in a workplace. It will be linked or related to careers, professions, or trades. The activity is addressed to provide the participant with the opportunity to obtain the necessary skills and knowledge to do a job, including working habits and appropriate behavior. It is a useful way for

the participant to obtain experiences that lead them to a nonfunded job. It may be paid or unpaid in the public or private sector.

- B. **Internships** – Activity planned and structured for a limited period of time, which takes place in a workplace. It will be linked to careers, professions, or trades. The activity is addressed to provide the participant with the opportunity to obtain the necessary skills and knowledge to do a job, including working habits and appropriate behavior, taking into consideration their occupational interest or training area. It is a useful way for the participant to obtain experiences that lead them to a nonfunded job. It may be paid or unpaid in the public or private sector.

IV. POLICY TO OFFER JOB EXPERIENCE AND INTERNSHIPS

1. The job experience is not addressed to the long-term development of occupational skills but instead to provide the participant with an opportunity to explore the occupation and develop their skills. Also, it is addressed for the participant to obtain the necessary skills and knowledge to do a work, including working habits and appropriate behavior. It is a strategy for participants that have little or no job experience. The need must be reasonably backed up on file.
2. In the particular case of the Dislocated Worker Program is necessary to evaluate the dislocated worker experience in order to validate that they have little experience. It will be the Career Planner's responsibility justify the need of an Individualized Employment Plan.
3. Upon completion of the activity, it is expected that the participant is prepared to obtain a nonfunded job. By means of a reevaluation of their Individual Employment Plan, it will be determined if the participant developed the skills established on it. On the contrary, the participant can be referred to other service to the effect of obtaining a job leading to economic self-sufficiency or comparable or higher salaries than the ones earned on previous jobs. If the participant needs training must have the skills and qualifications allowing to successfully participate in the corresponding training program or service.
4. The salary is paid directly to the participants. The federal minimum hourly salary will be paid. The employer will not be compensated monetarily.

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5. The funds provided for job experiences cannot be used directly or indirectly to fill an available vacancy because the former employee is on strike, separated from the job while a labor dispute is resolved, or because filling the vacancy is part of a labor dispute.
6. The State Board has established as a public policy the service priority for the small and medium sized businesses (PYMES); therefore, the job experience activities must have this sector as their ally on a priority basis. That is why only a maximum of twenty percent (20%) of the internship participants can be relocated in the public sector; this means the municipal, state and/or federal government.
7. In the Puerto Rico's particular case, the Labor Development Administration, now the Labor Development Program, in the written communication *Scope of the Prohibition to Fund Employment in the Public Service Sector with Title I Funds*, issued on June 24, 2013, establishes, among others, the following:

The Job Experience will not be used as a subterfuge and/or a substitute for an employment in the public service...

If it is an activity subsidized with Title I funds, the Job Experience in the public sector, it cannot consist of or be equivalent to the participant exerting what constitutes a public position in an agency, organization, instrumentality, public corporation, or municipality. It can neither imply that the participant of the Job Experience earns the salary of the respective public position subsidized with WIA funds for the performance of the typical responsibilities and duties of said position, which constitutes a government employment.

V. PARTICIPATION HOURS LIMIT

Participation is based on the participant's needs and skills. The participation period is based on the following factors:

- Objectives of the Job Experience
- Type of work to be done
- Skills required for the activity
- Funds' availability

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Respect to the hours limit in the Job Experience and Internships, the Local Board has determined that it will not exceed seven hundred (700) hours.

VI. APPROVAL AND VALIDITY

This public policy was approved by the Local Board of ALDLSoutheast in a regular meeting dated March 4, 2020. It will take effect immediately after its approval, and it nullifies any other policy related to the Job Experience and Internships addressed to adults and dislocated workers, completely or partly, that is incompatible with the herein indicated. The Local Board's Executive Director will be responsible for informing the personnel within the five (5) days after its approval.

For the record, I hereby sign the present in Humacao, Puerto Rico, on the 4th day of the month of March of the year 2020.

[Signed]

Jesús E. Delgado Morales
President
Local Board of Southeast Labor Development

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