



Program Policies

State EcSA Work Experience (WEX)

POLICY #: *P-S-EcSA-1022*

EFFECTIVE: *June 5, 2024*

SUPERSEDES: *N/A*

PURPOSE:

This policy provides direction for the implementation of State Economic Security for All (EcSA) funded work experiences (WEX).

WEX activities funded fully or in part with WIOA Title I funds must follow WorkForce Central's WIOA Title I Work Experience (WEX) Policy located on the WorkForce Central [Policy Library](#) under "WIOA Title I Program Policies".

BACKGROUND:

WEXs are planned, structured, and time-limited learning experiences that occur in a workplace via a contractual exchange between a WEX service provider ("WEX sponsor"), the business where the WEX occurs ("WEX host site"), and the WEX intern. A WEX may be provided in the private, for-profit, non-profit, or public sectors.

Labor standards apply in any WEX where an employee/employer relationship exists, as defined by the [Fair Labor Standards Act](#), [Washington State's Minimum Wage Act](#), and Washington State's [Department of Labor and Industries](#).

POLICY:

WEX host site agreements must be signed by WorkForce Central's Business Solutions and the WEX host site and intern agreements must be signed by the WEX host site, WEX sponsor, and WEX intern prior to the start of any WEX placement.

A WEX internship must not replace an existing employee or position. WEX funds may not be used to directly or indirectly aid in the filling of a vacant position as a result of the former employee being on strike or is locked out in the course of a labor dispute, or the filling of which is otherwise an issue in a labor dispute involving a work stoppage.

WEX Intern Eligibility

WEX interns must be eligible to work in the U.S. and provide appropriate [I-9](#) or other work authorization documentation prior to starting a WEX to establish an employer-employee relationship. For program management purposes, I-9 or other work authorization documents are not required to be uploaded into the applicable program management information system. Instead, the WEX sponsor will enter a case note stating they visually reviewed the intern's work authorization documentation and confirmed they are eligible to work in the U.S..

WEX Host Site Eligibility

WEX host sites must attest that they meet the following criteria prior to hosting an intern. Attestation is collected via the signed WEX host site agreement between WorkForce Central's Business Solutions team and the host site.

- The business is registered with the Internal Revenue Service (IRS).
- The business is licensed to operate in the State of Washington and provide their Federal Employer Identification Number (FEIN).
- The business has enough work to keep the intern fully engaged and learning and will provide adequate supervision at all times.
 - Note: While not prohibited, businesses are discouraged from supervising immediate family members.
- If placing youth ages 17 and younger, the business has a minor work permit and industrial insurance endorsements. See [WA State Department of Labor & Industries](#) website and [below](#) for details.
- The business has safe and healthy working conditions with no unresolved reported health and safety violations.
- The business does not illegally discriminate in the training or hiring practices because of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, political affiliation, or belief, and against beneficiaries based on citizenship status or participation in any financially assisted program or activity.
- The business will not terminate the employment of any of their current employees or otherwise reduce its workforce either fully or partially (such as reduction in hours or benefits) with the intention of filling the vacancy with a WEX intern, or as the result of having a WEX intern.
- The business will not allow the WEX activity to infringe upon promotional opportunities of their current employees.

- The business will not allow the intern to be involved in the construction, operation, or maintenance of any part of any facility that is used, or to be used, for religious instruction or as a place for religious worship.

WorkForce Central's Business Solutions team and the eligible WEX host site will enter into an agreement that serves as written assurance the business will comply with the conditions listed above. Business Solutions will provide a copy of the signed WEX host site agreement to the WEX sponsor who will attach the agreement to the WEX intern training contract and upload both into the applicable management information system (MIS).

Businesses that maintain eligibility and have a pattern of positive WEX placements may continue to host WEX interns for as long as the business chooses to do so. However, a business may no longer qualify as a WEX host site if, after receiving assistance to resolve a matter, one or more of the following occurs:

- Business fails to maintain eligibility (i.e., maintain applicable IRS registration, licensures, insurance, etc.)
- Business fails to maintain healthy and safe working environments.
- Business fails to provide agreed upon training and oversight.
- Complaints continue to be made against the business.
- Other compliance requirements are not met.

WEX Intern Training Agreements

The WEX sponsor, WEX host site, and the WEX intern will collaborate in the development and execution of the WEX intern training agreement. The WEX intern training agreement must be completed in its entirety and contain, at a minimum:

- Clear statement of purpose.
- Contact information for all parties to the agreement including the intern, WEX sponsor, and the WEX host site.
- Requirements of the WEX host site, intern, and sponsor.
- WEX activity start and end dates
- Training position including:
 - Job title and responsibilities.
 - Wages including detailed computation of the anticipated wages to be earned and accrual of paid sick leave.
 - Work schedule.
 - Required tools, equipment, or uniforms that may be required for the position, when applicable.

- Intern's WEX learning plan including skills to be learned and how those skills will be taught.
- Signature and date of all parties to the agreement.

WEX agreements may be modified. Modifications must be in writing and signed by all parties prior to the effective date of the modification. Verbal modifications are not valid.

One (1) WEX intern agreement may be written for more than one intern working at a single WEX host site, provided the working conditions, job description, wage rates, and terms of the contract are the same for all interns covered by the contract, and the placement aligns with each of the interns' individual employment and training plans.

WEX Placement Requirements for Minors (youth ages 17 and younger)

The laws and rules governing the hiring and placing of youth ages 17 and younger (minors) into a WEX are found at the [WA State Department of Labor & Industries](#) website. The following must be considered when placing a minor in a WEX:

- [Minor work permit endorsement including industrial insurance endorsement](#): Employers who host work experiences for youth ages 17 or younger must have a business license with the minor work permit and industrial insurance endorsements posted on the premise of the WEX host site. The WEX host site will attest, via the WEX host site agreement, that they have proper minor work permit endorsements posted.
- Completed [parent/school](#) or [parent summer authorization](#) form: Before a minor can begin working at a WEX, the youth's parent or legal guardian, their school (when in session), and the employer of record must complete the applicable authorization form. A copy of the signed authorization form must be retained by the WEX host site and WEX sponsor (when the employer of record) and uploaded in the applicable management information system.
- Rest and meal breaks: Minors must be allowed a paid rest break that is free from duties. Youth ages 16-17 years are entitled to an uninterrupted meal break of at least 30 minutes if they work more the five (5) hours a day, are entitled to at least a 10-minute paid rest break for each four (4) hours worked and must be allowed a rest period no later than the end of the third hour of the shift. Minors cannot waive their rest or meal break requirements.

WEX Timeframe

The following must be considered when determining the duration of a WEX:

- Contractual requirements between WorkForce Central and the funder, when applicable.
- Objectives of the WEX as defined by the intern's employment and training goals.

- Length of time necessary for the intern to learn the skills identified in the learning plan.
- The WEX host site having sufficient meaningful work activities for the intern to remain fully engaged.
- WEX sponsor's budget.

WEX Compensation

At a minimum, interns including minors ages 16-17 years of age engaged in a paid WEX must be compensated at an hourly wage not less than the state or local minimum wage, whichever is higher, and not more than wages paid to skilled employees in the same position with the employer as documented on the WEX host site agreement. Interns shall be paid only for the hours worked during the WEX as documented on the intern's WEX time sheet. WEX interns are not authorized to work overtime.

The following should be considered when determining the hourly wage for a WEX intern. This list is not intended to be all inclusive:

- Contractual requirements between WorkForce Central and the funder, when applicable.
- Objectives of the WEX.
- Type of work performed during the WEX.
- Intern's skillset.
- Skillset required for the WEX placement.
- Pay range for the position as documented on the WEX host site agreement.
- Duration of the WEX placement.
- WEX sponsor's budget.

Washington State employers are required to provide paid sick leave to their employees, unless the employer only has workers who are exempt from [Chapter 49.46 RCW-Minimum Wage Act](#), which includes paid sick requirements. WEX interns are entitled to paid sick leave at an accrual of one (1) hour for every 40 hours worked. The WEX sponsor is responsible for paying sick leave.

WEX funds cannot pay for:

- Vacation breaks.
- Mandatory lunch breaks.
- A holiday recognized by the WEX sponsor or WEX host site as a "paid holiday".
- Overtime.

Timesheets, timecards, or other documentation reflecting the intern's hours worked, and paystubs, paychecks, or other evidence of the intern's wages must be recorded in the applicable management information system per WorkForce Central's instructions.



WEX Funding Limits

Unless specified in an agreement between WorkForce Central and the funder, there are no funding limits for WEX placements. WEX sponsors have discretion to provide WEXs based on the intern's learning needs, the service provider's internal policies and budget limitations, and WorkForce Central's WEX policy. Service providers must ensure equitable treatment in the provision of work experiences.

WEX Monitoring

WEX sponsors must ensure regular and ongoing monitoring and oversight of WEX placements. Monitoring may include onsite visits and phone or email communication with the WEX host site and the WEX intern to assess the intern's progress in meeting their learning plan objectives. Any deviations from the WEX intern training agreement must be addressed immediately. Outcomes of the oversight and monitoring of the WEX placement must be documented in case notes recorded in the applicable management information system.

The WEX sponsor's oversight and monitoring of the WEX placements and payroll records will be reviewed by WorkForce Central compliance monitors and may be reviewed by the applicable funder and other authorized monitors and auditors. These entities have the right to access, examine, and inspect any site where any phase of the WEX activity is being conducted. The WEX sponsor and WorkForce Central's Business Solutions teams must maintain its records and accounts in such a manner as to facilitate the compliance review. Records must be maintained for a minimum of three (3) years after the conclusion of the WEX placement.

DEFINITIONS:

WEX host site: A business who hosts a work experience and provides the hands-on learning experiences, mentoring, and supervision of the WEX intern.

WEX intern: An individual who is placed in a time-limited and paid on-the-job learning experience with a WEX host site.

WEX sponsor: An organization who is responsible for managing and overseeing work experiences.

REFERENCES:

- US DOL Wage and Hour Division

ATTACHMENTS:

- [WEX Host Site Agreement](#)
- [WEX Intern Training Agreement](#)

WorkForce Central is an equal opportunity employer/program. Auxiliary aids and services are available upon request for individuals with disabilities. Washington Relay Service – 711.