



CaPROMISE Work Experience

Work experience for students with disabilities is one of the primary target areas for the PROMISE model demonstration projects (MDP). Specifically, “Each MDP must provide....at least one paid work experience in an integrated setting...In addition, other skill development opportunities must be provided in an integrated setting” (CFDA 84.418P). The Performance Measure for PROMISE MDPs is “Improved employment outcomes (e.g., competitive employment and increased earnings, number of hours worked per week, job retention) for child SSI recipients and their parents.”

CaPROMISE’s target outcome states: “100% of the CaPROMISE students will train or work at worksites through unpaid/paid work experiences and employer paid jobs” (proposal narrative, p.16). This document was created to provide CaPROMISE staff with additional background and details on what constitutes work experience for CaPROMISE participants.

What is work experience?

- “Work experiences are a planned, structured learning experience that takes place in a workplace for a limited period of time... Work experiences provide the youth participant with opportunities for career exploration and skill development.” (Department of Labor)
- “Community-based work experiences, such as internships, apprenticeships, and other on-the-job training experiences, provide increased opportunities for students to learn a specific job, task, or skill at an integrated employment site, and to transfer the knowledge gained to real-time work experiences.” (U.S. Department of Education, OSERS)

The types of work experiences recognized in both the literature and federal regulation include internships, apprenticeships, on-the-job training, job shadowing, summer employment, and other employment throughout the school year. The experiences represent a range of experiences that “fall along a continuum of experiences for students and exhibit increasing levels of intensity over time” (James Irvine Foundation, p. 6). This continuum starts with career exploration (i.e., field trips, guest speakers, job shadowing), progresses to work-based learning (i.e., internships, on-the-job-training, summer employment), and ultimately career preparation (i.e., apprenticeships, professional training programs). CaPROMISE is focused on the second phase of the continuum – work-based learning. A key element of work-based learning is the student’s **active engagement** in the workplace.

Key characteristics that distinguish the CaPROMISE work experience from an educational experience:

- Integrated setting
- Student performs the real work
- Interaction with supervisors and co-workers

Additional References

Excerpts from PROMISE RFP (CFDA 84.418P).....	1
CaPROMISE Proposal Narrative	1
Final regulations for the DOL programs, Title 1 and Title 3.....	2
U.S. Dept. of Education – OSERS.....	2
A Transition Guide to Postsecondary Education and Employment for Students and Youth with Disabilities	2
National Collaborative on Workforce and Disability	2
Engaging Youth in Work Experiences: An Innovative Strategies Practice Brief	2
James Irvine Foundation.....	3
Work-Based Learning in California	3
U.S. Dept. of Labor – Bureau of Labor Statistics.....	4
Occupational Outlook Handbook – Glossary.....	4
Education & Training Data Definitions	4
U.S. Dept. of Labor – Wage and Hour Division	5
Unpaid internship	5
DOL's Time Limits on Internships and work exploration activities.....	6
U.S. Department of Labor – Fair Labor Standards Act (FLSA).....	6
School-to-Work – Learning Experience	6
State of California Education Code - EDC	7
Job Shadowing (Section 51769)	7

Excerpts from PROMISE RFP (CFDA 84.418P)

(i) As a subset of the proposed services and supports, each MDP must provide or arrange for the following—

(C) Career and work-based learning experiences: At least one paid work experience in an integrated setting must be provided for children participating in the project before leaving high school. In addition, other skill development opportunities must be provided in an integrated setting, such as volunteering or participating in internships, community services, and on-the-job training experiences, including experiences designed to improve workplace basic skills (sometimes called “soft skills”);

(c) Performance Measures

(iii) Improved employment outcomes (e.g., competitive employment and increased earnings, number of hours worked per week, job retention) for child SSI recipients and their parents;

CaPROMISE Proposal Narrative

(p. 16) As part of the student’s ICAP and supported by the Career Services Coordinator, each student will participate in varying levels of employment preparation to gain employment readiness skills. Examples of skill development opportunities in integrated settings include volunteering in approved local programs, participating in qualified internships and participating in work experiences. These experiences will be based on the student’s age and skill level and will take place during the student’s school day, after the student’s school day and/or during summer time, as appropriate. 100% of the CaPROMISE students will train or work at work sites through unpaid/paid work experiences and employer paid jobs. As the student nears the “ready for hiring” process, this training may be extended into the summer months to model adult “real world” experiences. Individual assessment data is used to determine when the student is ready for hire. Often times the business partner will use the internship as a tryout for employment.

(p. 22) Extended and experiential learning opportunities. We anticipate there will be numerous and varied educational and employment opportunities for the CaPROMISE students. Because the LEAs participating in the CaPROMISE already have Transition Partnership Programs with the CDOR, there are numerous employer relationships for youth already established in each Region and locale. CaPROMISE will utilize these existing relationships, and establish others to provide real work experience opportunities to youth such as situational assessments, job shadowing, trial work experiences, and ultimately, integrated and competitive employment.

(p. 31) 100% of students have at least one volunteer and one paid experience

Final regulations for the DOL programs, Title 1 and Title 3

§ 681.600 What are work experiences?

<https://www.law.cornell.edu/cfr/text/20/681.600>

- (a) Work experiences are a planned, structured learning experience that takes place in a workplace for a limited period of time. Work experience may be paid or unpaid, as appropriate. A work experience may take place in the private for-profit sector, the non-profit sector, or the public sector. Labor standards apply in any work experience where an employee/employer relationship, as defined by the Fair Labor Standards Act or applicable State law, exists. Consistent with § 680.840 of this chapter, funds provided for work experiences may not be used to directly or indirectly aid in the filling of a job opening that is vacant because the former occupant is on strike, or is being 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. Work experiences provide the youth participant with opportunities for career exploration and skill development.
- (b) Work experiences must include academic and occupational education. The educational component may occur concurrently or sequentially with the work experience. Further academic and occupational education may occur inside or outside the work site.
- (c) The types of work experiences include the following categories:
 - (1) Summer employment opportunities and other employment opportunities available throughout the school year;
 - (2) Pre-apprenticeship programs;
 - (3) Internships and job shadowing; and
 - (4) On-the-job training (OJT) opportunities as defined in WIOA sec. 3(44) and in § 680.700 of this chapter

U.S. Dept. of Education – OSERS

A Transition Guide to Postsecondary Education and Employment for Students and Youth with Disabilities

<https://www2.ed.gov/about/offices/list/osers/transition/products/postsecondary-transition-guide-2017.pdf>

Community-based work experiences, such as internships, apprenticeships, and other on-the-job training experiences, provide increased opportunities for students to learn a specific job, task, or skill at an integrated employment site, and to transfer the knowledge gained to real-time work experiences. (p. 4)

National Collaborative on Workforce and Disability

Engaging Youth in Work Experiences: An Innovative Strategies Practice Brief

<http://www.ncwd-youth.info/innovative-strategies/practice-briefs/engaging-youth-in-work-experiences>

Work experiences can take various forms including internships, summer jobs, youth-run businesses/entrepreneurship, service projects and volunteer work, and part-time jobs. While some work experiences lead to permanent, competitive employment, even short-term work

experiences can be valuable as a way for young people to develop skills, contacts, and awareness about career options.

Before youth participate in a work experience, youth programs engage them in training or class activities that develop their soft skills.

In addition to soft skills training, a few of the programs prepare youth for work experiences by training them in technical skills (also referred to as “hard skills”). This is common among programs that connect youth to work experiences in a specific occupational sector or career pathway.

Many work experiences involve partnerships with local employers who agree to serve as work sites and provide on-the-job supervision. Programs that engage youth in internships, summer jobs, and part-time jobs typically have staff who are responsible for developing and managing employer relationships.

James Irvine Foundation

Work-Based Learning in California

https://www.wested.org/online_pubs/workbasedlearning.pdf

Work-based activities fall along a continuum of experiences for students and exhibit increasing levels of intensity over time. The continuum often begins with career speakers and tours appropriate for students as early as the elementary years, followed by job shadowing, which can begin in middle school and the early high school years. It then progresses to internships, service learning, or various kinds of school-based enterprises in high school—all of which may lead to further education and career preparation activities, such as apprenticeships, beyond high school.

.....the second category— those that foster in-depth, first-hand engagement with the tasks required of a given enterprise or occupation, that are intentionally designed to promote learning, and that prepare high school students for both further education and careers. (p. 6)

Figure 1. Work-Based Learning Along a Continuum of Experiences

Related Experiences	CAREER EXPLORATION	WORK-BASED LEARNING	CAREER PREPARATION
Primary Purpose	Exploring options in order to foster motivation, consideration of opportunities and informed decision-making	Learning through real experience in order to reinforce academics, promote higher-order thinking, promote psychosocial development, and deepen career and workplace-related knowledge	Preparing for entry into a specific profession
Approximate Grade Levels	Primarily grades 5–8, but continuing into higher grades as a discreet activity, and sometimes starting earlier as a way to spark students' imaginations	Primarily grades 9–12, but continuing into postsecondary education as a means to promote learning	Primarily grades 13+, but can begin earlier as long as opportunities for continued learning are not compromised

Components of Work-Based Learning

Engagement in the workplace. ...students must be actively engaged with the knowledge and skills to be learned – they cannot simply be bystanders.” (p. 7)

U.S. Dept. of Labor – Bureau of Labor Statistics

[Occupational Outlook Handbook – Glossary](#)

<https://www.bls.gov/ooh/about/glossary.htm#W>

Work experience in a related occupation: the level of work experience in an occupation related to a given occupation; the work experience captures work experience that is commonly considered necessary by employers or is a commonly accepted substitute for other, more formal types of training or education

Five years or more: the number of years of experience in a related occupation typically needed for entry into a given occupation is more than 5 years

Less than 5 years: the number of years of experience in a related occupation typically needed for entry into a given occupation is less than 5 years

None: No work experience in a related occupation is typically needed for entry into a given occupation

[Education & Training Data Definitions](#)

http://www.bls.gov/emp/ep_nem_definitions.htm#education

Typical on-the-job training needed to attain competency in the occupation. This category encompasses any additional training or preparation that is typically needed, once employed in an occupation, to attain competency in the skills needed in that occupation. Training is occupation-specific rather than job-specific; skills learned can be transferred to another job in the same occupation. Occupations are assigned one of the following six training categories:

Internship/residency. An internship or residency is training that involves preparation in a field such as teaching or medicine, generally under supervision in a professional setting, such as a classroom or hospital. This type of training may occur before one is employed. Completion of an internship or residency program is commonly *required* for state licensure or certification in fields including medicine, counseling, architecture, and teaching. Examples of occupations in the internship or residency category include physicians and surgeons and marriage and family therapists. This category does not include internships that are suggested for advancement in one's career, such as a marketing internship.

Apprenticeship. An apprenticeship is a formal relationship between a worker and sponsor that consists of a combination of on-the-job training and related occupation-specific technical instruction in which the worker learns the practical and theoretical aspects of an occupation. Apprenticeship programs are sponsored by individual employers, joint employer-and-labor groups, and employer associations. The typical apprenticeship program provides at least 144 hours of occupation-specific technical instruction and 2,000 hours of on-the-job training per year, over a 3- to 5-year period. Examples of occupations in the apprenticeship category include electricians and structural iron and steel workers.

Long-term on-the-job training. More than 12 months of on-the-job training or, alternatively, combined work experience and formal classroom instruction, is needed for workers to develop the skills to attain competency. Training is occupation-specific rather than job-specific; therefore, skills learned can be transferred to another job in the same occupation. This on-the-job training category also includes employer-sponsored training programs.

Such programs include those offered by fire academies and schools for air traffic controllers. In other occupations—nuclear power reactor operators, for example—trainees take formal courses, often provided at the jobsite, to prepare for the required licensing exams. Also included in the long-term on-the-job training category are occupations in which workers typically need to possess a natural ability or talent—including musicians and singers, athletes, dancers, photographers, and actors—and that ability or talent must be cultivated over several years, sometimes in a nonwork setting. This category excludes apprenticeships. Examples of occupations in the long-term on-the-job training category include opticians, dancers, and power plant operators.

Moderate-term on-the-job training. More than 1 month and up to 12 months of combined on-the-job experience and informal training is needed for workers to develop the skills needed to attain competency. Training is occupation-specific rather than job-specific; therefore, skills learned can be transferred to another job in the same occupation. This on-the-job training category also includes employer-sponsored training programs. Examples of occupations in the moderate-term on-the-job training category include transit and intercity bus drivers and advertising sales agents.

Short-term on-the-job training. The skills needed for a worker to attain competency in an occupation can be acquired during 1 month or less of on-the-job experience and informal training. Training is occupation-specific rather than job-specific; therefore, skills learned can be transferred to another job in the same occupation. This on-the-job training category also includes employer-sponsored training programs. Examples of occupations in the short-term on-the-job training category include retail salespersons and maids and housekeeping cleaners.

None. There is no additional occupation-specific training or preparation typically required to attain competency in the occupation. Examples of occupations that do not require occupation-specific on-the-job training include geographers and pharmacists.

U.S. Dept. of Labor – Wage and Hour Division

Unpaid internship

<https://www.dol.gov/whd/regs/compliance/whdfs71.pdf>

1. The internship, even though it includes actual operation of the facilities of the employer, is similar to training which would be given in an educational environment;
2. The internship experience is for the benefit of the intern;
3. The intern does not displace regular employees, but works under close supervision of existing staff;
4. The employer that provides the training derives no immediate advantage from the activities of the intern; and on occasion its operations may actually be impeded;
5. The intern is not necessarily entitled to a job at the conclusion of the internship; and
6. The employer and the intern understand that the intern is not entitled to wages for the time spent in the internship.

DOL's Time Limits on Internships and work exploration activities

The Department of Labor has identified the following time limits specific to internships/work experiences to ensure an employee relationship does not exist:

Career Exploration (limited to 5 hours/job). A brief exposure to a variety of work settings and may include work site field trips or job shadowing to view the type of work being performed.

Career Assessment (limited to 90 hours/job). An extended observation where the student undertakes work assignments for the purpose of assessing his/her interests, aptitudes, and support needs.

Work-Related Training (limited to 120 hours/job). A period of work experience for the purpose of training job skills and job-related skills.

If all of the factors listed above are met, an employment relationship does not exist under the FLSA, and the Act's minimum wage and overtime provisions do not apply to the intern. This exclusion from the definition of employment is necessarily quite narrow because the FLSA's definition of "employ" is very broad.

U.S. Department of Labor – Fair Labor Standards Act (FLSA)

School-to-Work – Learning Experience

<http://webapps.dol.gov/elaws/whd/flsa/scope/ee15astw.asp>

The general trainee tests apply to School-to-Work learning programs under the School-to-Work Opportunities Act of 1994 (STW).

A learning experience at an employer's work site that includes all of the following elements is consistent with a learning experience under the STW:

1. a planned program of job training and work experience for the student, appropriate to the student's abilities, which includes training related to pre-employment and employment skills to be mastered at progressively higher levels that are coordinated with learning in the school-based learning component and lead to the awarding of a skill certificate;
2. the learning experience encompasses a sequence of activities that build upon one another, that increase in complexity and promote mastery of basic skills;
3. the learning experience has been structured to expose the student to all aspects of an industry and promotes the development of broad, transferable skills; and,
4. the learning experience provides for real or simulated tasks or assignments which push students to develop higher-order critical thinking and problem-solving skills.

A student enrolled in a STW learning experience would not be considered an employee under the FLSA if all of the following student criteria are met:

1. the student receives ongoing instruction at the employer's worksite and receives close on-site supervision throughout the learning experience, with the result that any productive work that the student would perform would be offset by the burden to the employer from the training and supervision provided; and

2. the placement of the student at a worksite during the learning experience does not result in the displacement of any regular employee -- i.e., the presence of the student at the worksite cannot result in an employee being laid off, cannot result in the employer not hiring an employee it would otherwise hire, and cannot result in an employee working fewer hours than he or she would otherwise work; and
3. the student is not entitled to a job at the completion of the learning experience -- but this does not mean that employers are to be discouraged from offering employment to students who might successfully complete the training; and
4. the employer, student, and parent or guardian understand that the student is not entitled to wages or other compensation for the time spent in the learning experience -- although the student may be paid a stipend for expenses such as books or tools.

When *all four* of the above student criteria are met, an employer would not be required to pay wages to a student enrolled in an STW learning experience.

State of California Education Code - EDC

Job Shadowing (Section 51769)

(b) For purposes of this section, “job shadowing experience” means a visit to a workplace for the purpose of career exploration for no less than three hours and no more than 25 hours in one semester, intersession, or summer school session.

(c) Notwithstanding subdivision (b), a pupil may participate in a job shadowing experience for up to 40 hours in one semester, intersession, or summer school session if the principal of the school in which the pupil is enrolled certifies that it is necessary for the pupil’s participation in a career technical education program.

(Amended by Stats. 2016, Ch. 72, Sec. 2. Effective January 1, 2017.)