#### **INTERIM INSTRUCTION NOTICE #24-001**

#### **DECEMBER 1, 2024**

SUBJECT: TRANSITIONAL JOBS/WORK EXPERIENCE SERVICES FOR WIOA CUSTOMERS

**DISTRIBUTION:** ADMIN, AJCC's, Business Services, and

Fiscal

**FILE:** WDD Intranet

**REFERENCE:** New Policy

**OBSOLETE:** When manual is updated

#### Introduction

Effective September 11, 2024, the Workforce Development Board approved LevelUp HR, Inc. (LevelUp) as the Workforce Development Department (WDD) Employer of Record for the adult, dislocated worker, and youth Title 1 Workforce Innovation and Opportunity Act (WIOA) programs. LevelUp is responsible for workers compensation liability, performs all necessary human resource functions, and compensates each participant for his/her work at the Worksite.

Having an Employer of Record now allows WDD to provide Work Experience to WIOA customers at the America's Job Centers of California (AJCC). This Interim Instruction Notice (IIN) provides information on the process for the America's Job Center of California (AJCC) staff and Business Services to complete.

#### **Background**

LevelUp is a registered Professional Employer Organization (PEO) that has been delivering staffing and payroll services across the United States since 1994. LevelUp serves nearly 100 clients as a PEO operating in multiple states. PEOs offer comprehensive HR services to small businesses, including payroll management, tax compliance and guidance on various state and federal laws.

#### **Purpose**

The purpose is for WDS/WDT to refer participants to LevelUp for employer of record services to support workforce development efforts in delivering paid work experiences for adults, dislocated workers, and young adult job seekers 18 years or older. LevelUp will pay 100% of the participants paid work experience.

These programs are designed to place participants who have zero to minimal work experience with Worksites to develop and improve workplace skills. WDD provides funding to LevelUp to cover the hourly wage of the participants. considered temporary, non-exempt hourly employees. The length of each work experience assignment will vary dependent upon the need of the worksite and the participant.

<u>Note</u>: Refer to Workforce Development Board (WDB) Policy #9 – Transitional Jobs for additional information.

### LevelUp deliverables

As the employer of record, LevelUp will provide the following deliverables to WIOA participants:

Deliverable	Description	
On-Boarding	Virtual and onsite orientation sessions.	
Assistance	Single point of contact for new hire paperwork.	
	Streamlined and electronic tools to assist with hiring.	
	Maintain personnel records.	

#### LevelUp deliverables, continued

Deliverable	Description
Employee Relations	<ul> <li>Respond to all day-to-day employee relations issues and</li> </ul>
Issues	employee/supervisor inquiries regarding policies and procedures.
	<ul> <li>Provide coaching, guidance, and legal assistance with employee</li> </ul>
	relations issues with supervisors/manager(s), WDD, and legal staff.
	Initiate communication with employee to address and resolve issue.
Payroll Services	Manage and maintain the Human Resource Information System and
	processing of new hires, salary increases, promotions, transfers and
	terminations for the program.
	<ul> <li>On-line timekeeping training for students, supervisors, and contract manager(s).</li> </ul>
	<ul> <li>Tax documentation and information.</li> </ul>
	<ul> <li>Process payroll that pays at minimum bi-weekly.</li> </ul>
Leave Management	<ul> <li>Single point of contact for administrative and medical leaves of</li> </ul>
	absence.
	<ul> <li>Generate paperwork, track time out of the office, and</li> </ul>
	facilitate/manage communication between the employee and supervisor.
	Liaison between individual and Employment Development Department
	(EDD) for State Disability Insurance and Paid Family Leave
	insurance/payments.
Workers'	<ul> <li>Single point of contact for workers' compensation claims.</li> </ul>
Compensation Claims	<ul> <li>Generate paperwork, track time out of the office, and facilitate</li> </ul>
	communication between the employee and supervisor.
	Liaison between employee and insurance carrier for workers'
	compensation insurance/payments.
Unemployment	Work experience is subsidized and generally does not result in
	Unemployment Insurance benefits. However, if applicable, a single point
	of contact for unemployment claims, generate paperwork, and serve as the liaison between employee and EDD for unemployment payments.
Background Checks	Conduct background checks.
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## Worksite agreement

A Worksite Agreement is an agreement made between WDD AJCC and worksites to provide subsidized work experience to eligible participants. WDD staff will use the approved Worksite Agreement template, approved by the Board of Supervisors, in DocuSign when a worksite is willing to participate into the paid work experience program.

The Business Services Team will provide the link to CalJOBS and may assist the if necessary to register. The Worksites will be required to enter information about his/her organization into the CalJOBS system prior to participants paid work experience/transitional job. Two important pieces of information to be entered in CalJOBS are:

- Proper organization name (as it appears on the tax identification), and
- Tax Identification number.

Once a WIOA participant is selected by a Worksite to participate in the Paid Work Experience program, a copy of the signed Worksite Agreement will be uploaded into the participants case file in CalJOBS, and a copy sent to LevelUp. In addition, the Business Services Team will enter the appropriate business activity code and case note in CalJOBS.

### Worksite limitation

Worksite limitations are to ensure participants are not placed in the following types of work environments or situations:

- Working at heights over 12 feet on a ladder,
- Working in childcare,
- Working with or in an environment with chemicals or explosives, and
- Working at depths under 4 feet (special approval may be granted on a caseby-case basis).

#### Work experience criteria

Work Experience provides adults, dislocated workers, and young adults with an invaluable opportunity to develop workplace skills. Placement in a transitional job must be limited to the period of time required for a participant to establish a work history, demonstrate success in the workplace, and develop the skills needed to enter unsubsidized employment. Work experience wages must be the State of California's minimum wage with the participants working a:

- Minimum of 120 hours and a maximum of 320 hours for Transitional jobs and maximum for youth is 240 hours; and
- Maximum of eight (8) hours in a day and/or up to 40 hours in a week.

**Overtime is not permitted.** Work experience **does not** authorize participants to work overtime and shall not be compensated for:

- Vacation.
- Lunch breaks, or
- Holidays recognized by WDD or Worksite as a "paid holiday".

<u>Note</u>: Refer to Healthy Workplace Healthy Family Act of 2014 (AB 1522) law for sick leave compensation.

### Uncompensated hours

Worksites and participants must be informed that any hours worked more than the assigned hours will not be compensated and will be considered unpaid work experience. If this occurs, staff will enter activity code 219 for the unpaid work experience for adult and dislocated worker and 426 for youth.

# Transitional jobs details

**Transitional Job** is identified as the paid work-experience for the adult and dislocated worker programs. WDB Policy #9 established the criteria for participation in a transitional job with the following eligibility requirements:

- Needs to meet the eligibility criteria for an adult or dislocated worker, depending on funding source.
- Must meet the definition for Chronically Unemployed or have Inconsistent Work History (refer to the definition block for description).
- The transitional job must be in one of the WDB Identified Priority Sectors.
- Up to 10% of adult or dislocated worker funds may be used, as determined annually during the budget process.
- Participants will be paid minimum wage.
- Allowable work experience is up to 320 hours, either full or part time.
- The employer of record will be LevelUp.

<u>Note</u>: Any exceptions to the wages or hours must be approved by the WDD Director.

# Transitional jobs eligibility, continued

Transitional jobs are designed to establish a work history for an individual, to demonstrate success in the workplace, and develop the skills that lead to entry level position and retention in unsubsidized employment. There is no requirement for the Worksite to retain the individual upon completion of the transitional job; however, retention, where appropriate, is preferred for the benefit of the worker and Worksite.

WDS/WDT will determine eligibility for Transitional jobs at the point of entry and when reviewing a participants employment history.

# Chronically unemployed

The state defines Chronically Unemployed or Inconsistent Work History as individuals who meet one or more of the following criteria:

- Has never held a full-time job (30+ hours per week) for more than 13 consecutive weeks.
- Has held more than three jobs in the 52 weeks prior to application.
- Has been unemployed for 13 consecutive weeks or longer prior to application.
- Has been unemployed 27 weeks or more prior to application.

#### Transitional / WEX Profile Release of Information form

Prior to any documents being sent to LevelUp HR, the WDS/WDT will complete the Transitional Job/WEX Profile and Release of Information form with the participant via DocuSign. The form is used to gather participants job focus, past work experience, transportation and days/hours available. The form is also used to allow WDD to release information to either LevelUp HR or the Worksite.

#### Work experience training plan

Once a Worksite Agreement is in place and a participant is selected for placement at a site, Business Services team will be required to complete the Work Experience Training Plan (WTP) template in DocuSign prior to the start of the paid work experience. The WTP should be developed in conjunction with the Worksite and include the skills to be developed during the Transitional Job. The work experience training plan will be signed by the:

- Participant,
- Worksite, and
- · Business Services.

The Worksite (worksite) must be able to provide the Transitional Job Participant supervision and appropriate feedback at regular intervals during the transitional job activity.

<u>Note</u>: Within one week of the participant starting his/her Transitional Job/Work Experience, the Worksite must verify the completion of the Safety training via DocuSign.

## Youth work experience

Transitional job requirements do not apply to youth for paid work experience. For the Title 1 WIOA Youth Program one of the 14 elements provided to a youth is element #3 – paid work-experience. WDS/WDT will follow the guidelines outlined in the Youth Handbook for enrolling youth 18 years or older into paid work experience.

### CalJOBS activity codes

AJCC and Business Services staff will enter the following activity codes in CalJOBS:

- AJCC:
  - 321 Transitional Jobs
  - 425 Youth paid work experience
- Business Services:
  - E45 Employer code for work experience
  - E57 Follow-up with employer

In addition, information about the hours, wages, worksite address, and Worksite name must be entered in the appropriate data fields for the Transitional Job activity code.

#### **Worksites**

Worksites willing to work with participants in Transitional Job or work experience activities may be from the:

- Private for-profit sector,
- Private non-profit sector, or
- Public sector.

As Transitional Jobs/work experience are structured to help participants achieve success in the workplace and develop the skills needed to obtain or retain unsubsidized employment, the Worksite must be able to provide supervision and appropriate feedback to the participant at regular intervals during the course of the activity.

Worksites must be willing to participate in monthly on-site monitoring visits conducted by WDD to evaluate the Worksite and the participant's performance. Worksites will be required to approve participants time sheets on a weekly basis.

#### Retention

There is no expectation that the Worksite will retain the participant at the completion of the transitional job. However, if the Worksite is interested in hiring the participant after the Transitional Job activity has completed, and additional training is needed, an OJT may be developed following the OJT criteria.

#### Business Services responsibilities

The Business Services team will be responsible for:

- Explaining transitional jobs to the Worksite, reverse referrals are not accepted.
   Reverse referrals are not accepted. Transitional Job flyer can be used to promote.
- Finding Worksites who are willing to participate in the paid work experience program for the adult, dislocated workers, and youth population,
- Obtaining Worksites signatures on the approved Worksite Agreement form for those Worksites willing to participate in the paid work experience program,
- Assisting the WDS/WDT with job placement after the completion of his/her work experience for the adult, dislocated workers, and youth,
- Complete the WTP with participant and Worksite, and
- Provide worksite information to the WDS/WDT so the appropriate adult, dislocated worker, or youth can participate in the paid-work experience.

<u>Note</u>: Transitional Jobs/work experience flyer is available for Business Services team to use when explaining the new program to the worksites. Also, it is an opportunity for a worksite to support the community by helping participants gain work experience and develop skills.

#### Workforce Development Specialist responsibilities

The Workforce Development Specialist (WDS) is responsible for:

- Offering paid-work experience to those adults, dislocated workers, and youth who fall under the criteria for transitional jobs/paid WEX,
- Reviewing his/her current and new customer case load to see who may benefit from the paid-work experience,
- Connecting with the Business Services team to identify the worksites who are willing to participate in the paid work-experience program, and
- Assisting customers with creating a LevelUp account and Participant's LevelUp Employee On-boarding.

### Right to Work documents

The WDS will verify the right-to-work (RTW) documents once a participant decides to take advantage of the paid work experience program. Although a copy of the work authorization documentation is not required, a detailed **case note is required** and must include the description and certain details about the documents viewed, such as, but not limited to:

- Driver's license/state identification
- Expired date
- Any document from list A, B, or C that was used

**Case note example:** Sight verified RTW for the customer; CA DL Expiration date of 10/23/2026, and Last 4-SSN digits #1234.

The participant will upload his/her RTW document directly to the LevelUp portal during the on-boarding process.

**<u>Reminder</u>**: WDS must obtain a signed Transitional Job/WEX Profile and Release of Information form before sending any documents to LevelUp.

# LevelUp ticketing system

Once a participant is identified as going into the Transitional job or work experience, WDS/WDT staff will complete a form in LevelUp ticketing system. The link to the site is: Ticketing System.

#### The actual URL is listed below:

https://forms.zohopublic.com/arraycorp/form/WorkForceDevelopmentProgramForm/formperma/Pq2ltIFCYGapRQjJvdkROGcSsWnT9RfzcZnHhdGGR2l

#### Employee Onboarding

Each participant is required to complete the LevelUp Employee On-boarding on their own.

The participant will receive a "welcome" letter with a link and a specific personal identification number (PIN) to complete the onboarding process before starting the work experience. Process to be completed:

- Equal Opportunity
- Federal/State tax withholding,
- Direct deposit information,
- I-9 verifier, and
- Sign/date, including PIN # documents.

#### Employee onboarding, continued

Once the on-boarding is completed, LevelUp will review the account and will use the participants email address to communicate and provide any updates.

After the participant completes the on-boarding, LevelUp will send a link to the participants email about the time keeping record process. This is important for participants to understand and to ensure there are no issues with receiving his/her paycheck. Participants will access the time keeping record with his/her email address and the specific assigned PIN #.

## Job readiness workshop

Any participant who will be participating in the Transitional Job/work experience will be required to complete the job readiness workshop prior to the start of his/her paid work experience. The workshop provides information regarding the following:

- Soft skills
- Dress code
- Attendance/punctuality
- Teamwork
- Job etiquette
- Communication

WDS/WDT staff will use activity code 134 for adult/dislocated worker or 435 for youth program in CalJOBS when participants complete the job readiness workshop.

#### **Paycheck**

Participants will have two (2) options for receiving his/her paycheck from LevelUp:

- **Option one**: the paycheck is automatically deposited directly into the participants' bank account, Zelle, Apple Pay, Chime or any active pay card.
- Option two: the paycheck is mailed to the participants' home address.

<u>Note</u>: Pay checks mailed to participants home will take longer to receive depending on the postal system.

LevelUp processes a participant's paychecks the week after the participant completes his/her work week.

**Example:** Participant submits timesheet on Friday 9/7, worksite approves timesheet on Monday morning 9/10. LevelUp processes the timesheet the beginning week of 9/10, and a paycheck will be deposited in the bank account by Friday 9/13. Paychecks that are not automatically deposited will be mailed out on Thursdays.

## Time keeping records

Participants will be responsible for using the LevelUp online timekeeping system to keep track of the hours worked. The participants will review the time sheet and provide signature for approval. LevelUp will receive the timesheet and will process the hours to issue the participant's paycheck.

The table below outlines the stages for time keeping records.

Stage	Who	Description	
1	LevelUp	Will email the online timekeeping software link to the participant to enter his/her time	
		on a daily basis.	
2	Participant	Will access the timekeeping software link,	
		Record his/her time into the LevelUp online system,	
		Enter day/time and hours worked daily, and	
		Contact LevelUp with any issues.	

#### Time keeping records, continued

Stage	Who	Description	
3	Worksite Supervisor	Will receive an email from LevelUp on Fridays to review and approve the participants timesheet for the week by noon on Mondays.	
4	LevelUp	Will review the timesheet for completeness,	
		Process time sheet based on participants wage,	
		Contact participant and/or worksite for any clarifications or issues, if any, to ensure there are no delays in receiving a paycheck, and	
		Issue paycheck based on participant's option.	

### Worksite follow-up

The WDS will reach out to the participant and the Business Services Team will reach out to the worksite on a monthly basis to check on how the work experience is going for both parties.

Worksite follow-up **does no**t include when staff are checking in with the participant and worksite to ensure he/she arrived on the first day of work.

# Participant tracking

LevelUp will be tracking the participants' time to ensure the required hours of the paid work experience do not go over the allotted limit. WDD Staff Analyst will receive a report on a regular basis from LevelUp and WDS is responsible for reviewing the report.

<u>Note</u>: LevelUp will send a notification email to the participant when he/she has reached 80 hours. In addition to the notification, the participant will be locked out from entering any time after his/her assigned hours.

# Payroll register report

LevelUp will provide a Payroll register report to the WDD Staff Analyst on a weekly basis. This report will be forwarded to the Managers and Supervisors to share with staff who have participants in Transitional Jobs or Youth paid work experience.

WDS/WDT is required to review the report and keep track of the participants hours to ensure the participant does not go over the assigned hours for his/her work experience. WDS/WDT will contact participants who are close to meeting his/her assigned hours, to let them know. They should also remind the participant that any hours worked over the assigned hours will be treated as unpaid work experience.

#### Job cost report

LevelUp will provide a Job Cost Report to WDD Staff Analyst on a weekly basis to know what has been charged and what industry is participating in the work experience program. The report will include the following topics:

- Worksite/Industry sector
- Participant name
- Participant hours worked/Gross pay
- Salary/hourly wage
- Taxes and compensation

### Assistance or questions

WDS/WDT or participants who need assistance with timekeeping, general questions, or issues involving payroll will call the LevelUp office number (808) 442-6469.

LevelUp will contact WDS/WDT only if they are having issues with getting a hold of the participant or to report any unresolved issues, if any.

# LevelUp contact information

WDS/WDT may contact the following LevelUp representative with any issues with the LevelUp platform or payroll issues.:

General Manager & VP Rachele Perez

Email address: rpezel@leveluphr.com

Direct number: (808) 909-3099

PEO Division General Manager Lisel Coles

Email address: lcoles@leveluphr.com

Direct number (808) 909-2285

#### **Differences**

The table below provides information regarding the differences between an On-the-Job Training (OJT) and Transitional Jobs/Work Experience:

	PROGRAM DESCRIPTIONS	TJ/WE	OJT
		X	
•	Provides participants with work opportunities for which they receive compensation	✓	✓
•	The Employer of Record is the worksite/place of business		✓
•	The Employer of Record is not the worksite, but a county contracted third party, LevelUp HR, which provides Employer of record services	✓	
•	Worksite limitations exist with participants not able to work in certain environments	✓	
•	Worksite Agreements serve as the central document between the County and worksites	✓	
•	Contracts serve as the central document between the County and worksites		✓
•	The County reimburses the worksite 50% of the paid wages to participants		✓
•	County contracted third party, LevelUp, pays 100% of the wages directly to participants	✓	
•	All Adult, Dislocated Workers, and Youth Participants are eligible to participate		✓
•	Includes a plan for the participant that identifies what work they will engage in, the number of hours they are allowed to work, and who will supervise them at the worksite	<b>√</b>	✓
•	Designed specifically to lead to unsubsidized employment with the worksite		✓
•	Overtime payments are not allowed	✓	✓
•	Worksites invoice the County for reimbursement with worked hours listed on timesheets		✓
•	Time worked is entered into an online/app-based system by participant and approved by worksite supervisor weekly and processed by LevelUp	✓	
•	Enter activity code 321 or 425 in CalJOBS	<b>✓</b>	
•	Enter activity code 301 or 428 in CalJOBS		✓

- TJ Transitional Jobs (Adult and DW customers + additional eligibility)
- WEX Paid Work Experience (Youth)
- OJT On-the-Job Training (Adult, DW, and Youth)

### RERP participants

The construction program under the Regional Equity and Recovery Partnership (RERP) Grant is for participants to obtain work experience. RERP grant is in collaboration with Victor Valley College and San Bernardino Valley College. The colleges will send students who either completed the construction course or are currently enrolled into the construction coursed to the AJCC for work experience.

LevelUp HR will be the Worksite of record for the construction work experience program for the RERP grant.

**Note:** Refer to the Program Guide – Chapter 12, Special Grants for the criteria and completion dates for the RERP grant.

Stage	Who		Description	
1	Business Services Team	<ul> <li>Identifies worksites who are willing to participate with use of flyer in the work experience program for adults, dislocated worker, and youth.</li> <li>Explains what transitional jobs is and what it means to the worksite.</li> <li>Begins the DocuSign process to obtain all the required signature(s) on the Worksite Agreements.</li> </ul>		
		<u>Note</u> : DocuSign will automatically send a copy of the signed Worksite Agreement to LevelUp.		
			T the names of worksites and type of business the vorksite is willing to accept.	
2	WDS	<ul> <li>Identifies participants in existing case load or new customers who can benefit from and is eligible for the paid work experience.</li> <li>Contacts participant and explains what is paid work experience.</li> <li>Ensures participant is job ready and is a good fit for the worksite placement by training participant on 'Job Readiness'.</li> <li>Completes the Transitional Job/WEX Profile and Release of Information form with the participant via DocuSign.</li> <li>Verifies RTW documents if participant wants to explore the paid work experience with worksite. Case note regarding RTW is to be completed in CalJOBS.</li> </ul>		
3	Business Services Team	Information form, • Determines which	sitional Job/WEX Profile and Release of worksite the participant would benefit from, and s between participant and worksite.	
4	Participant		s prior to his/her interview with worksite. the interview went with the worksite.	
5	Business Services Team	Confirms with the worksite if participant can obtain work experience.		
		If worksite says	Then Business Services will	
		Yes,	<ul> <li>Contact participant and complete the WTP in conjunction with the worksite.</li> </ul>	
			Note: Participant start date will be one week after the completion of the WTP to allow enough time for employee on-boarding with LevelUp.	
		No,	Continue to find a worksite who will provide paid work experience for participant.	
6	WDS	<ul> <li>Access the LevelUp ticketing system link to initiate the participant LevelUp on-boarding process.</li> <li>Reminds participant to upload his/her RTW documents to LevelUp when he/she receives the link to complete the on-boarding process.</li> </ul>		
7	LevelUp	Verifies the RTW of	bipant information on the ticketing system.  documents and information is complete.  ink to the on-boarding process to the participant.	

Stage	Who	Description	
8	WDS	<ul> <li>Informs participant that LevelUp will send them an email with a link to the timesheet software the day before his/her start date to track the work hours.</li> <li>Completes a detailed case note.</li> <li>Contacts participant to confirm he/she arrived on first day of work.</li> <li>Enters the appropriate activity code (321 or 425) in CalJOBS.</li> <li>NOTE: To enter the projected end date for participant in CalJOBS, review the WTP for their weekly and total hours to calculate when the participant's</li> </ul>	
		experience will likely conclude <u>AND</u> add a 2-week buffer to accommodate unforeseen circumstance.	
9	Participant	Arrives to the worksite to begin his/her paid work experience at the designated time.	
		Enters the time/hours worked on the LevelUp timesheet software daily.	
10	WDS and Business Services	<ul> <li>Contacts worksite and participant to confirm arrived on first day of work and sends Verification of Safety Training to worksite to be completed within the first 7 days of participant's employment.</li> </ul>	
	team	Checks-in with worksite and participant to see how the work experience is going monthly.	
11	Lavallia	Completes a detailed case note in CalJOBS.  Completes a detailed case note in CalJOBS.  Completes a detailed case note in CalJOBS.	
	LevelUp	<ul> <li>Emails the worksite supervisor on Fridays to review the participants timesheet.</li> </ul>	
12	Worksite Supervisor	Receives an email from LevelUp with a link to the participant's timesheet on Friday's.	
		Reviews and approves the timesheet and must be completed/signed off by noon on Monday.	
13	LevelUp	<ul> <li>Reviews the participants approved timesheet prior to issuing a paycheck.</li> <li>Issues a paycheck to participant either by direct deposit or mail.</li> <li>Sends a weekly Payroll Registry report to the WDD Analyst to show wages/hours completed by the participant, which will be forwarded to AJCC managers/supervisors.</li> </ul>	
14	Manager/ Supervisor	Receive the Payroll Registry report and forwards to staff to review and ensure participants are within the assigned hours to avoid any excess hours.	

#### Additional Details

- WDS, upon verifying participant's attendance on the first day of their job, will forward the WTP to their AJCC manager to enable entries onto the budget sheet
- Participants have a running total of hours they have worked on their paystubs
- WDS, will complete the 'Employee Separation Form' if a participant prematurely ends their transitional job/work experience at the following web location:
   https://forms.zohopublic.com/arraycorp/form/EmployeeSeparationForm1/formperma/IRUZQxoJyyytl0e4EFIHVnn09dPF8Hx2PMk8SCHLDh0
- The following forms will be uploaded upon completion to CalJOBS by the <u>WDS</u> with naming conventions:
  - Transitional Job/WEX Profile & Release of Information: Mbrown1368\_PRI
  - Work Experience Training Plan: Mbrown1368\_WTP