



# New Jersey State Employment and Training Commission

Dennis M. Bone, *Chairman*

Chris Christie, *Governor*

## **POLICY RESOLUTION: SETC #2015-03**

**SUBJECT:** New Jersey Out-of-School Youth Definition and Youth Work Experiences Definition

### **Purpose**

The Shared Youth Vision Council recommends establishing a clear and comprehensive definition for Out-of-School Youth and definitions of the various Work Experiences which the State and Local Workforce Development Boards (LWDBs) must provide to New Jersey's priority youth populations. The Workforce Innovation and Opportunity Act (WIOA) requires states and their LWDBs to invest prescribed resources to promote the creation and implementation of programs and services for Out-of-School Youth that provide both theoretical and practical methods of application. The Out-of-School Youth and Work Experiences definitions will ensure those investments will have the potential for yielding the highest returns.

### **Background**

The State of New Jersey, the 18 local areas and the One-Stop Career Centers are responsible for investing 75% of WIOA youth funds to serve Out-of-School Youth populations, as identified by WIOA. The State of New Jersey and the local areas are required to invest 20% of WIOA youth funds for the purpose of providing New Jersey's priority youth populations identified under WIOA, with work experience activities.

The SETC's Shared Youth Vision Council (SYVC) is comprised of employers, state agencies, local area representatives, educational entities, community and faith-based organizations. The SYVC examined the requirements of WIOA, and considered the existing state definitions for In-School Youth and national organization definitions for Out-of-School Youth. The SYVC examined the definitions for the various work experiences that WIOA-funded youth programs must provide. The SYVC is proposing the attached "New Jersey Out-of-School Youth Definition and Youth Work Experiences Definition." The purpose of the definitions is to provide the State of New Jersey and the local areas with the language necessary to articulate the needs and direct the investments for priority youth populations, as prescribed by WIOA.

Upon formal resolution by the SETC, the policy will be posted on the SETC website and shared with the NJ Department of Labor and Workforce Development, LWDBs, and One-Stop Career Centers. Subsequently, the policy will be submitted to the U.S. Department of Labor as part of the New Jersey Combined State Plan.

### **RESOLUTION:**

**As required under the Workforce Innovation and Opportunity Act (WIOA) of 2014, the State Employment and Training Commission formally adopts the "New Jersey Out-of-School Youth Definition and Youth Work Experiences Definition." This policy takes immediate effect and will be included in the New Jersey Combined State Plan**

**Attachment:** New Jersey Out-of-School Youth Definition and Youth Work Experiences Definition

**Commission Approved: October 9, 2015**

**Commission Approved as Updated: January 19, 2016**

## **New Jersey Out-of-School Youth Definition**

Out-of-school, or disconnected youth are young people between the ages of 16 – 24, that do not have a high school diploma or, have a high school diploma and are deficient in basic skills, are not enrolled in school, and are disconnected from work and/or underemployed.

## **New Jersey Youth Work Experiences Definition**

**On-The-Job Training;** means training by an employer that is provided to a paid participant while engaged in productive work in a job that—

- a) Provides knowledge or skills essential to the full and adequate performance of the job;
- b) Is made available through a program that provides reimbursement to the employer of up to 50 percent of the wage rate of the participant, except as provided in section 134(c)(3)(H), for the extraordinary costs of providing the training and additional supervision related to the training; and
- c) Is limited in duration as appropriate to the occupation for which the participant is being trained, taking into account the content of the training, the prior work experience of the participant, and the service strategy of the participant, as appropriate. [WIOA Section 3 (44)]

**Pre-Apprenticeship;** is a program or set of strategies designed to prepare individuals to enter and succeed in a registered apprenticeship program and has a documented partnership with at least one, if not more, registered apprenticeship program(s).

- a) Approved training and curriculum
- b) Strategies for long term success
- c) Access to appropriate support services
- d) Promotes greater use of Registered Apprenticeship
- e) Hands on Training
- f) Facilitated Entry and or Articulation

**Community Service/Volunteerism;** is the principle that an individual or a group of individuals will donate their time and energy as a civic responsibility. These types of activities are performed for the benefit of the community and are coordinated with public entities such as; nonprofit organizations, government entities, community and faith based organizations.

**Internship;** is a pre-professional experience that provides an opportunity to gain relevant knowledge and skills prior to starting out in a particular career field.

*According to the U.S. Department of Labor (USDOL), whether interns are deemed “employees” of an employer under the Fair Labor Standards Act (FLSA) (i.e., due at least minimum wage and overtime compensation) depends on all of the circumstances surrounding their activities for the employer. If the following criteria apply, interns are not “employees” within the meaning of the FLSA:*

- a) The internship includes supervised practical training.
- b) The internship is for the benefit of the interns.
- c) The interns do not displace regular employees, but work under close supervision.
- d) The interns are not necessarily entitled to a job at the conclusion of the training period.

**Unpaid Intern;** is an individual who performs work for an employer for the purpose of training, under the following circumstances:

- a) 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;
- b) The internship experience is for the benefit of the intern;
- c) The intern does not displace regular employees, but works under close supervision of existing staff;
- d) 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;
- e) The intern is not necessarily entitled to a job at the conclusion of the internship; and
- f) The employer and the intern understand that the intern is not entitled to wages for the time spent in the internship.

**Externship/Job Shadowing;** means to observe and evaluate an individual, typically a professional within an industry or a workplace of the individual’s areas of interest.

- Externships are typically held for short time period lasting anywhere from a single day to eight weeks.