



**CAPITAL WORKFORCE PARTNERS  
WORK SITE AGREEMENT**

*INSTRUCTIONS: Work sites employing Capital Workforce Partners JFES and/or WIA participants must have a completed agreement prior to placement of any participants. The contractor shall provide a copy of this agreement to Capital Workforce Partners upon execution.*

**TO BE COMPLETED BY THE CONTRACTOR**

**Contractor Name:** \_\_\_\_\_

Work Experience Coordinator: \_\_\_\_\_

Coordinator Phone Number(s): \_\_\_\_\_

Work Site Name & Address: \_\_\_\_\_  
 \_\_\_\_\_

Work Site Contact Person: \_\_\_\_\_

Work Site Contact Person Phone Number: \_\_\_\_\_

Work Site Supervisor Name and Title: \_\_\_\_\_

Direct Phone Number: \_\_\_\_\_

Alternate Work Site Supervisor Name and Title: \_\_\_\_\_

Direct Phone Number: \_\_\_\_\_

Position(s) available at this work site: (attach additional pages if necessary)

<b>Job Title</b>	<b>Work Schedule (hours and days)</b>	<b># of positions</b>
	S M T W Th F S (circle) start time: _____ end time: _____	
	S M T W Th F S (circle) start time: _____ end time: _____	
	S M T W Th F S (circle) start time: _____ end time: _____	
	S M T W Th F S (circle) start time: _____ end time: _____	
	S M T W Th F S (circle) start time: _____ end time: _____	

**Attach a job description for each position, including the following information: principal responsibilities, skills and abilities and knowledge required, and special requirements such as driver's license, background check (DCF or State Police).**

#### Obligations of Contractor:

- Refer eligible participants to available positions; select eligible participant as a replacement in the event that a participant quits or is terminated.
- Provide case management to each participant and maintain communication with work site to ensure attendance and satisfactory performance.
- Provide participants with overview of program objectives and expectations and other pertinent information.
- Collect participant timesheets on a regular basis from the work site
- Provide a contact for the work site supervisor.
- Ensure work site is safe and provides appropriate experiences for CWP participants.

#### Obligations of Work Site Operator / Supervisor:

- Provide meaningful and productive work.
- Clearly communicate work site expectations and responsibilities to participants
- Maintain daily attendance records for all participants and submit timesheets to the Contractor on a timely basis. Participants will only be paid for actual working hours.
- Ensure safe and healthy work conditions
- Report ALL accidents and injuries IMMEDIATELY to the Contractor.
- Provide adequate supervision of the participant including regular evaluation and appropriate disciplinary action.
- Conduct an initial performance evaluation by the second work-week and a final performance evaluation within the last 2 weeks of the job.
- Immediately notify the Employment Specialist of any issues with the participant that may result in termination.
- Complete all program-related paperwork, including provision of a Certificate of Completion and letter or recommendation for all participants who successfully complete the work experience.
- Guarantee that an alternative supervisor will be available in case of absence of the immediate supervisor.

#### General Conditions:

In all matters pertaining to their performance under this Agreement, the parties shall conform to the provisions of all applicable federal, state, and local laws, statutes, ordinances, rules and regulation, and any amendments thereto, and to the methods and procedures of all governmental boards, bureaus, offices, commissions and other agencies.

- *The parties shall ensure that the jobs provided under this agreement shall not:* replace any current employee (including partial displacement such as reduction in current employee hours or wages); impair existing contracts for services or collective bargaining agreements and, if any of the jobs are inconsistent with the terms of any collective bargaining agreement, the written concurrence of the labor organization and employer concerned shall first be obtained; employ participants when any other person is on layoff from the same or any sustainability equivalent job.
- No person shall be excluded or subjected to discrimination because of race, color, religion, sex, sexual orientation, national origin, age, handicap, political affiliation or belief.
- Capital Workforce Partners, and the federal / state Department of Labor may monitor this work site at any time to ensure compliance with this Agreement, and the parties shall cooperate fully with said monitors to complete the evaluation of each participant's progress.
- All of the Additional Specific Terms regarding Workplace Conditions for the JFES Work Experience Program outlined in the attached Appendix B apply to this work site.

## Appendix B: Specific Terms regarding Workplace Conditions for the JFES and/or WIA Work Experience Program

1. Safeguards to ensure that participants in the JFES and/or WIA Work Experience Program do not displace other employees

(a) A participant in a program or activity must not displace (including a partial displacement, such as a reduction in the hours of non-overtime work, wages, or employment benefits) any currently employed employee (as of the date of

the participation). (b) A program or activity must not impair existing contracts for services or collective bargaining agreements. When a program or activity would be inconsistent with a collective bargaining agreement, the appropriate labor organization and employer must provide written concurrence before the program or activity begins.

(c) A participant in a program or activity may not be employed in or assigned to a job if:

(1) Any other individual is on layoff from the same or any substantially equivalent job;

(2) The employer has terminated the employment of any regular, unsubsidized employee or otherwise caused an involuntary reduction in its workforce with the intention of filling the vacancy so created with the participant; or

(3) The job is created in a promotional line that infringes in any way on the promotional opportunities of currently employed workers.

2. Wage and labor standards that apply to participants in the JFES and/or WIA Work Experience Program

(a) Individuals in on-the-job training or individuals employed in activities must be compensated at the same rates, including periodic increases, as trainees or employees who are similarly situated in similar occupations by the same employer and who have similar training, experience and skills. Such rates must be in accordance with applicable law, but may not be less than

the higher of the rate specified in section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C.

206(a)(1)) or the applicable State or local minimum wage law. (b) Individuals in on-the-job training or individuals employed in programs and activities must be provided benefits (excluding benefits currently provided through the granted state assistance) and working conditions at the same level and to the same extent as other trainees or employees working a similar length of

time and doing the same type of work.

(c) Allowances, earnings, and payments to individuals participating in programs are not considered as income for purposes of determining eligibility for and the amount of income transfer and CWP JFES WIA Work Site Agreement

in-kind aid furnished under any Federal or Federally assisted program based on need other than as provided under the Social Security Act (42 U.S.C. 301 *et seq.*).

3. Health and safety standards that apply to the working conditions of participants in activities in the JFES and/or WIA Work Experience Program

(a) Health and safety standards established under Federal and State law otherwise applicable to working conditions of employees are equally applicable to working conditions of participants engaged in programs and activities.

(b)(1) To the extent that a State workers' compensation law applies, workers' compensation must be provided to participants in programs and activities on the same basis as the compensation is provided to other individuals in the State in similar employment.

(2) If a State workers' compensation law applies to a participant in work experience, workers' compensation benefits must be available for injuries suffered by the participant in such work experience. If a State workers' compensation law does not apply to a participant in work experience, insurance coverage must be secured for injuries suffered by the participant in the course of such work experience

## Subsidized Employment Work Site Checklist

This checklist is to be completed by the company that will host subsidized employees.

### Part I

***If any of the following questions are answered YES, the company is not eligible.***

**Please answer YES (Y) NO (N):**

1. Would the company have hired the customer without a subsidy? \_\_\_\_\_
2. Is the company involved in any disputes with a labor organization? \_\_\_\_\_
3. Have workers been laid off from positions that will be filled by subsidized employees? \_\_\_\_\_
4. Does the company have any unresolved OSHA violations? \_\_\_\_\_

### Part II

***If company cannot provide any the following assurances, it is not eligible.***

**Please check:**

- The company assures that it is in compliance with the Americans with Disability Act.
- The company assures that it is in compliance with OSHA safety standards.
- The company assures that subsidized employees will not displace existing employees.

### Part III

**Labor Organization Concurrence: if any collective bargaining agreements are in place, a labor organization representative must sign the Worksite Agreement.**

- The company has no collective bargaining agreements in effect.
- The company is covered by collective bargaining agreement(s).

I have reviewed the specific terms of the Work Site Agreement and this checklist with the authorized company representative, and have developed the Agreement in accordance with the State and Federal Regulations, State JFES and CWP Local Policies and Procedures.

\_\_\_\_\_  
Signature of Contractor Representative

\_\_\_\_\_  
Date

**WORK SITE AGREEMENT**

IN WITNESS WHEREOF, the Contractor and the Work Site Operator / Supervisor have caused this Agreement to be executed as of \_\_\_\_\_  
Date

Contractor: \_\_\_\_\_

Authorized Official, Name and Title:  
\_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Work Site: \_\_\_\_\_

Authorized Official, Name and Title:  
\_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

***To be completed by Labor Organization Representative ONLY if this work site is covered by a collective bargaining agreement.***

I have reviewed this Work Site Agreement as an authorized representative of  
\_\_\_\_\_

With respect to obligations, general conditions, occupations, job descriptions and training arrangements, I certify that I approve of the positions listed, and that they are within the jurisdiction of this bargaining unit.

Name and Title \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_