



Workforce Development
Youth Services

Supervisor's HANDBOOK

Summer Youth Work Experience Program
(SYWEP)

Building Skills & Making
Opportunity

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Introduction

Welcome to the Department of Labor's, Workforce Development - Summer Youth Work Experience Program (SYWEP). As a supervisor of youth customers participating in this program, you play a key role in helping the youth assigned to you have a profitable summer, learning work skills, connecting work skills to academic skills, growing into adulthood, and earning money. By giving students valuable work experience, a sense of purpose and responsibility, and exposure to what it means to belong to an organization, you are helping to shape a future of doers, thinkers, innovators, problem-solvers, and leaders.

The Department of Labor is working to make this experience worthwhile for you and the youth involved. We invite you to join us in this endeavor. The purpose of this handbook is to inform you about the Work Experience program, its objectives and procedures, our expectations and work rules.

Keep this handbook for reference.

Youth Work Experience Program

The Work Experience program is funded by the general fund of the Virgin Islands Government and the United States Department of Labor through the Workforce Innovation and Opportunity Act (WIOA). Youth funded through WIOA must be low-income, sixteen (16) through twenty-four (24) years of age and in need of training services to become successfully employed. Although most of the youth in this program are in school, approximately 30% are not. A portion has other barriers to employment, such as poor academic skills, language barriers, and disabilities. If the youth you supervise requires any additional services, please bring that need to the attention of the youth's Counselor.

The functions that the youth provide to your agency or company may not be substituted for jobs performed by regular employees. The participating employers provide work projects and supervision of work performance. The Department of Labor pays for 100% of the youth's wages and fringe.

The Workforce Development – Youth Services is responsible for overall planning, setting guidelines and rules, allocating funds, selecting worksites, and ensuring that the program functions within the guidelines set forth by the laws and regulations of the United States Department of Labor, the Government of the Virgin Islands and the policy and procedures of the Virgin Islands Department of Labor.

The specific objectives of the SYWEP are to:

- ▶ Ensure that customers have academic and work experiences that prepare them for successful and self-sufficient adult lives.
- ▶ Assist the customers in developing a career plan and career portfolio.

- ▶ Provide opportunities for customers to improve their academic performance and employability through individualized service strategies.
- ▶ Maximize the number of economically disadvantaged youth participating.
- ▶ Collaborate with other education and training providers and advocacy groups to minimize duplication of services and facilitate a comprehensive service strategy for each youth customer.
- ▶ Utilize fully all available funding to provide maximum opportunities for participation in the WIOA.
- ▶ Facilitate the opportunity for employers to prepare our youth for the future and have the benefit of the work performed by youth customers.
- ▶ Solicit and act on advice from employers to advise us on workforce trends and demands in order to improve our services to youth.
- ▶ Solicit input from current and former youth customers to improve our services to the next generation of youth customers.

Role of Supervisors

You must be ready to meet, supervise and help the youth from the moment they arrive. Thus, you must be prepared before they are on the job site.

The responsibility of the supervisor includes many different elements. If you are a new SYWEP supervisor, you may not be aware of all of these responsibilities. Some of the most important issues are described in greater detail in the following pages.

Supervisor's tasks include:

- ▶ **LINKING** the activities of your work group with the expectations and activities of others, such as your superiors, other work units and individuals and related community groups
- ▶ **CONNECTING** the work experience to academic skills development and the competencies outlined in the Secretary's Commission on Achieving Necessary Skills (SCANS) as listed in an attachment.
- ▶ **ORIENTING** the youth to the program, the work sponsor, the work to be performed and the expected behavior.
- ▶ **ON-THE-JOB TRAINING** to help the youth gain the skills and abilities to perform specific tasks in line with their interests, capabilities, and growth patterns.
- ▶ **ASSIGNING** youth to specific tasks in line with their interests, capabilities, and growth patterns

- ▷ **PLANNING AND SCHEDULING WORK** so that the desired objectives will be achieved.
- ▷ **ORGANIZING** the worker, tasks, and materials so that the work product can be achieved.
- ▷ **DIRECTING** the youth so that s/he understands what is to be done.
- ▷ **MOTIVATING** youth toward good work behavior and performance.
- ▷ **COMMUNICATING** with both the youth in your group and with others who have impact on them by listening and by keeping all persons appropriately informed.
- ▷ **SERVING AS A ROLE MODEL** so that the youth have a good example of appropriate behavior.
- ▷ **COUNSELING** youth about career objectives and other program related matters.
- ▷ **CHECKING AND CERTIFYING** the worker's time and attendance records.
- ▷ **EVALUATING** the youth's behavior and performance.
- ▷ **SOLVING** work problems as they arise.
- ▷ **REPORTING** workplace injuries, concerns, or problems to a Counselor.

The work experience will yield good training in work-related behavior and skills if you exhibit these yourself. In this way, you can be a good role model and instructor for our youth.

Experience and studies have shown that youth will try to emulate adults they respect—particularly a job site supervisor. You were selected as a supervisor because it is believed that you will be a good role model. The following will give you some answers to the questions, “What must I know?” We cannot give you all of them. You may add items as you go along.

Your preparation should include:

- ☒ Knowing the work the youth must perform, so that you can instruct and guide the youth, meet the expectations of your superiors and complete the work of your unit.
- ☒ Learning about the youth you will supervise—his/her talents, aspirations, and current skill level.
- ☒ Learning about Workforce Development – Youth Services.
- ☒ Being knowledgeable about your agency or business and its policies and procedures.

Information for the Supervisor

There is some information you should have at your fingertips, which relates to you, the youth, and the program. They are:

- ▶ **SAFETY:** Supervisors may not allow youth to do any work or to work in any place or with any equipment that does not comply with applicable State and Federal laws governing health and safety requirements. See Child Labor Laws attached. If you are in doubt about compliance, consult a SYWEP Counselor before assigning work.
- ▶ **TERMINATION:** You may not terminate the employment of any customer. If a youth worker commits an act which you believe warrants termination, or if he or she informs you of his/her intention to leave the program, notify and consult with the Workforce Development – Youth Services immediately.
- ▶ **RECORDS AND REPORTS:** You are expected to make such reports as are required in a timely manner and to respond to questions used to evaluate the program. You are required to maintain a record for each youth you supervise. This record should include a description of the job or jobs to which the youth is assigned, time and attendance and performance evaluation.

Evaluation of the youth's behavior and performance is to be conducted throughout the work experience. The supervisor should discuss the assessment with the youth to reinforce their good behavior and help them improve their performance. A written evaluation of the youth's behavior and performance must be completed at the conclusion of the work experience, using the **Youth Evaluation Sheet** in the attachments. A copy should be given to the youth customer and to the SYWEP Counselor.

- ▶ **POLITICAL ACTIVITY:** According to the Hatch Act, SYWEP customers may not, during work hours, take part in any partisan political activity. This includes lobbying, fund-raising, making speeches, assisting at meetings, distributing pamphlets, or engaging in voter registration activities. SYWEP employees must be concerned not only with the Hatch Act, but also with the more restrictive Workforce Development – Youth Services provisions and local laws prohibiting political activities. It is the policy of the United States Department of Labor and local officials to apply the prohibition against involvement of SYWEP employees (including youth involved in paid work experience) in political activities very strictly. The position is that the mere appearance of involvement in political activities would violate the apolitical nature of the SYWEP.

Some areas of concern are:

1. Violation of Virgin Islands laws or regulations
2. Violation of the Hatch Act
3. Activities which take place during SYWEP-financed working hours.
4. Political interaction with others identified as SYWEP-financed employees or customers.

5. Support for a candidate who will have a voice in the operation of the SYWEP.

- ▶ **RULES:** You are required to abide by the policies and procedures of Workforce Development - Youth Services and the SYWEP law and regulations. No youth worker will be paid or considered employed for any time other than regularly scheduled and approved hours of work. The approved hours of work for youth in this program must comply with territory and federal standards.

Work Rules for Youth

It is your responsibility to ensure that all customers under your supervision know and abide by these work rules:

- ▶ **PERIOD OF WORK EXPERIENCE:** For duration of five (5) or eight (8) weeks, depending on the youth's individual service strategy.
- ▶ **HOURS:** Customers work twenty-four (24) hours per week, a maximum of six (6) working hours per day for four (4) days unless otherwise indicated in their individual service strategy and conveyed in writing to the supervisor. Lunch time is not counted as a working hour.
- ▶ **LATENESS AND ABSENCES:** Customers are expected to inform you (or a designated person) if they are going to be late or absent. Excessive lateness is grounds for pay deductions and other disciplinary action, including termination from the program. If you are having problems with a youth's tardiness or absenteeism that you cannot resolve with simple verbal counseling, please contact his/her Counselor.
- ▶ **HOLIDAYS:** Customers should observe all Local and Federal holidays but will not be paid for this time. However, with the permission of the worksite supervisor and the SYWEP, the customer can make up that time by working additional hours during that same time period. Customers in a worksite that is open on Local and Federal holidays will be compensated at regular time once the SYWEP is notified by the worksite.
- ▶ **TIME SHEETS:** Supervisors will fill in the hours worked on a daily basis and the total amount of hours worked. A copy of the **Biweekly Time and Attendance Record** is in the back of this handbook. The Time and Attendance Record will be in a place known by the customer and his/her supervisor. If the supervisor plans to be out the office on the due date of the Time and Attendance Record, arrangements should be made so that the Time and Attendance Record will be completed and signed. In order to avoid problems with the time and attendance records being unsigned on Friday mornings, another responsible person should be designated as an alternate. ***Only the supervisor's signature or that of the alternate will be acceptable on the time and attendance record.***

Time and attendance records are to be completed, signed and submitted on the scheduled date (i.e., the Friday of a government pay week). If the time sheet is not submitted on time, the customer will not receive a paycheck. **All records must be submitted in a timely manner or they will not be processed until the next pay period.** Time and Attendance Records may be photocopied to ensure continued supply, but a sheet with an original signature must be submitted for processing.

No customer will be paid or considered employed for any time other than regularly scheduled and approved hours of work. The approved hours of work for youth in the program must comply with Territorial standards.

- ▶ **PAY:** Paychecks will be distributed bi-weekly. Customer's fringe benefits include Workers' Compensation coverage and employee's share of social security contributions, which are deducted from their paycheck. If a paycheck is lost, stolen or misplaced, notify the Department of Labor's Workforce Development – Youth Services immediately.
- ▶ **ACCIDENTS:** If a youth worker is injured on the job, you should be notified at once, either by the injured youth or fellow worker. If you are not immediately available, the designated person in your worksite should be notified. Provide the youth you supervise with the appropriate name and telephone number of your alternate. As soon as you, or your alternate, learn of an accident involving a youth worker, you must contact the SYWEP Counselor.
- ▶ **QUITTING:** If a youth informs you that she/he is intending to leave the program, you should immediately notify the SYWEP Counselor.
- ▶ **PROBLEMS:** Youth are instructed to discuss any problem she/he is having with you first and then his/her Counselor. You should attempt to resolve the problem within your company/agency first.
- ▶ **GRIEVANCES:** You must explain to the youth their right to register a grievance. You are expected to deal, in the first instance, with any grievance a youth may have with respect to unfair treatment. If you do not resolve the grievance to the youth's satisfaction within five (5) days, the youth may request, in writing, an informal hearing with the person designated by the work sponsor. You may not, by threat or other means, discourage a youth from requesting a hearing or appeal. Please see attached Grievance Procedure.

Assigning Youth to Worksites and Work Experiences

Developing job training that will satisfy all SYWEP objectives is very difficult. There are few jobs which are challenging, interesting, ideal for learning skills, provide opportunities to try out a number of occupations and, at the same time, yield a significant work product at the level at which the youth can reasonably be expected to perform. Consequently, most jobs are simple, repetitive, and call for few competencies. Nevertheless, you must

make every job worthwhile and a learning experience by *not* assigning any job as a disciplinary measure and introducing some challenging elements into each job, identifying and teaching competencies which can be acquired with experience, knowing and telling the youth how the output will benefit the community.

No assignments should be considered fixed for the entire work experience. While each youth's occupational preference, experience and education have been taken into consideration in the assignment to you; it is not always possible to fit these with the jobs available. Consequently, it is up to you to attempt to make the best fit possible within the limitations of the jobs to be done and the youth assigned to you. Be sensitive to the youth becoming bored, indifferent, and dissatisfied with specific job assignments. When this happens, it is time to change, restructure jobs or help the youth become more competent by introducing new work elements or providing work counseling. Do not forget the major goals are to help the youth learn about different jobs and gain competence and interest in work. Bored, dissatisfied workers can achieve none of these objectives.

Orienting Youth

While the youth may know something about the program and have been informed about work rules, it is up to you and the SYWEP Counselor to help them understand and gain by this experience. After arrival at the worksite, the youth may feel out of place and not know how to behave, and even with written instructions, be confused about what is expected of them. They must learn when and how to ask for help and when to relax. They should be helped to understand the larger purposes of their work. In addition, it is important to orient each youth about your expectations and the specific nature of the work to be performed and how it fits into the objectives of your company/agency.

Your orientation for youth should include:

- ✓ Orient your participants to the workplace and introduce him or her to coworkers.
- ✓ Direct the participants to who they should report to.
- ✓ Establish call-off, sick, or tardy protocols and who should be contacted.
- ✓ Provide cell phone policy and emergency phone call procedures.
- ✓ Provide reliable equipment and demonstrate how to use it safely.
- ✓ Explain to your participants your expectations about breaks, lunch, appropriate behavior, etc.
- ✓ Reiterate the dress code policy.
- ✓ Provide a task list and a description of expected job duties.
- ✓ Provide youth with their work schedule.

Evaluating the Youth's Performance

As a supervisor, you are expected to observe and evaluate the competence, behavior and performance of each youth working for you. The major purpose of the evaluation is to help the youth improve his or her behavior and performance. The form entitled **Youth Evaluation Sheet** at the back of this handbook must be completed at the conclusion of the work experience and forward to the SYWEP. This form may also be used during the work experience. If it is used then, a copy should also be sent to the SYWEP.

Youth are extremely sensitive to negative feedback. Therefore, when you discuss the youth's performance with him/her, your emphasis should be on positive reinforcement and constructive redirection. Avoid focusing attention on the negative elements in the youth's performance—especially in front of co-workers and other youth. If necessary, repeat the teaching cycle from demonstration to performance for the youth. Set high but attainable standards and praise improvement.

Monitoring and Evaluating

Just as it is part of your job to evaluate the performance of the youth you supervise, the SYWEP staff is responsible for evaluating your performance. Your performance, as a supervisor, will be evaluated during the program and at the program's conclusion. The SYWEP staff will retain a record of evaluations and use them for making future work experience assignments.

The entire Work Experience program will be monitored by the Department of Labor's Planning, Research and Monitoring Unit. You may be contacted by a member of that staff; please cooperate with them. That unit will make recommendations for improvement in the program.

We strive to improve the services we provide to the youth on a continuous basis and welcome your input as well. You may be contacted by telephone for a customer satisfaction survey after the completion of the youth's work experience. However, as the work experience proceeds, please feel free to offer your comments and suggestions to the SYWEP.

**WE HOPE YOU ENJOY THE EXPERIENCE
OF TEACHING AND SHARING WITH OUR
YOUTH**

THANK YOU!

**Department of Labor
Workforce Development – Youth Services**

St. Thomas:
2353 Kronprindsens Gade
Charlotte Amalie, VI 00802
(340) 776-3700

St. Croix:
4401 Sion Farm
Christiansted, VI 00820
(340) 773-1994

ATTACHMENT A: SECRETARY'S COMMISSION FOR ACHIEVING NECESSARY SKILLS (SCANS)

Secretary's Commission for Achieving Necessary Skills (SCANS)

FIVE COMPETENCIES

Resources: Identifies, organizes, plans and allocates resources

- A. *Time* – Selects goal-relevant activities, rank them, allocates time, and prepares and follows schedules
- B. *Money* – Uses or prepares budgets, makes forecasts, keeps records, and makes adjustments to meet objectives
- C. *Material and Facilities* – Acquires, stores, allocates, and uses materials or space efficiently
- D. *Human Resources* – Assesses skills and distributes work accordingly, evaluates performance and provides feedback

Interpersonal: Works with others

- A. *Participates as Member of a Team* – contributes to group effort
- B. *Teaches Others New Skills*
- C. *Serves Clients/Customers* – Works to satisfy customers' expectation
- D. *Exercises Leadership* – communicates ideas to justify position, persuades and convinces others, responsibly challenges existing procedures and policies
- E. *Negotiates* – works toward agreements involving exchange of resources, resolves divergent interests
- F. *Works with Diversity* – works well with men and women from diverse backgrounds

Information: Acquires and uses information

- A. *Acquires and Evaluates Information*
- B. *Organizes and Maintains Information*
- C. *Interprets and Communicates Information*
- D. *Uses Computers to Process Information*

Systems: Understands complex inter-relationships

- A. *Understands Systems* – knows how social, organizational, and technological systems work and operates effectively with them
- B. *Monitors and Corrects Performance* – distinguishes trends, predicts impacts on system operations, diagnoses deviations in systems' performance and corrects malfunctions
- C. *Improves or Designs Systems* – suggests modifications to existing systems and develops new or alternative systems to improve performance

Technology: Works with a variety of technologies

- A. *Selects Technology* – chooses procedures, tools or equipment including computers and related technologies
- B. *Applies Technology to Task* – Understands overall intent and proper procedures for setup and operation of equipment
- C. *Maintains and Troubleshoots Equipment* – Prevents, identifies, or solves problems with equipment, including computers and other technologies

A THREE – PART FOUNDATION

Basic Skills: **Reads, writes, performs arithmetic and mathematical operations, listens, and speaks**

- A. *Reading* – locates, understands, and interprets written information in prose and in documents such as manuals, graphs, and schedules
- B. *Writing* – communicates thoughts, ideas, information, and messages in writing; and creates documents such as letters, directions, manuals, reports, graphs, and flow charts
- C. *Arithmetic/Mathematics* – performs basic computations and approaches practical problems by choosing appropriately from a variety of mathematical techniques
- D. *Listening* – receives, attends to, interprets, and responds to verbal messages and other cues
- E. *Speaking* – organizes ideas and communicates orally

Thinking Skills: **Thinks creatively, makes decisions, solves problems, visualizes, knows how to learn and reasons**

- A. *Creative Thinking* – generates new ideas
- B. *Decision Making* – specifies goals and constraints, generates alternatives, considers risks, and evaluates and chooses best alternative
- C. *Problem Solving* – recognizes problems and devises and implements plan of action
- D. *Seeing Things in the Mind's Eye* – organizes, and processes symbols, pictures, graphs, objects and other information
- E. *Knowing How to Learn* – uses efficient learning techniques to acquire and apply new knowledge and skills
- F. *Reasoning* – discovers a rule or principle underlying the relationship between two or more objects and applies it in solving a problem

Personal Qualities: **Displays responsibility, self-esteem, sociability, self-management, and integrity and honesty**

- A. *Responsibility* – exerts a high level of effort and perseveres towards goal attainment
- B. *Self-Esteem* – believes in own self-worth and maintains a positive view of self
- C. *Sociability* – demonstrates understanding, friendliness, adaptability, empathy, and politeness in group settings
- D. *Self-Management* – assesses self accurately, sets personal goals, monitors progress, and exhibits self-control
- E. *Integrity/Honesty* – chooses ethical courses of action

Chapter 15. Child Labor

SECTION ANALYSIS

- 401. Declaration of purpose
- 402. Definitions
- 403. Occupations in which minors may not be employed; findings and orders of Commissioner
- 404. Administration by, and regulations of, Commissioner; consultation with other officials
- 405. Nonapplicability to employment of minors under certain programs; notice
- 406. Violation of chapter or rules or regulations
- 407. Injunctive actions by Attorney General

HISTORY

This chapter was added by Act April 1, 1964, No 1112, § 1, Sess. L. 1964, p. 57. For effective date, see section 2 of such Act, set out as a note under section 401 of this title.

§. 401. Declaration of purpose

The Legislature hereby finds and declares that the public welfare requires that minors be protected from conditions of labor which have a pernicious effect on their health, morals and educational competence of youth, and to this end, the purpose of this chapter is to regulate the employment of minors in the manner herein set forth. —Added April 1, 1964, No. 1112, § 1, Sess. L. 1964, p. 57.

HISTORY

Effective date. Section 2 of Act April 1, 1964, No. 1112, Sess. L. 1964, p. 58, provided: "This Act [enacting this chapter] shall become effective on July 1, 1964, provided that the Commissioner of Agriculture and Labor commencing June 1, 1964, and at least once a week throughout such period shall cause to be published in newspapers of general circulation in the Virgin Islands a notice to all affected or interested persons calling attention to the provisions of this Act [this chapter]."

CROSS REFERENCES

Employment of children under age of 16 years in any occupation injurious to health or morals or hazardous to life or limb prohibited, see section 3 of 1954 Revised Organic Act of Virgin Islands (July 22, 1954, ch. 558, 68 Stat. 497), set out preceding Title 1.

§ 402. Definitions

For the purpose of this chapter, unless otherwise provided or the context requires a different construction, application or meaning-

Commissioner means the Commissioner of Labor or his authorized representative.

Education, Health, and Social Welfare mean respectively the Commissioners of such departments or their authorized representatives.

Minor means any person who has not reached the age of 18 years. —Added April 1, 1964, No. 1112, § 1, Sess. L. 1964, p. 57; amended March 17, 1965, No. 1343, § 6, Sess. L. 1965, Pt. 1, p. 81.

HISTORY

Amendments-1965. Substituted "Commissioner of Labor" for "Commissioner of Agriculture and Labor".

Effective date of 1965 amendment. Amendment of this section by Act March 17, 1965, as effective October 1, 1965, see section 9 of such Act (Sess. L 1965, Pt. 1. p. 82), and Act Aug. 26. 1965, No. 1498, Sess. L. 1965. Pt. 1, p. 452, the latter referred to in notes preceding section 351 of Title 3.

§ 403. Occupations in which minors may not be employed; findings and orders of Commissioner

(a) Except as hereinafter provided, no minor shall be employed or permitted to work in any occupation in the Virgin Islands, in or involving

- (1) heavy construction work;
- (2) the operation of power-driven, metal-forming, punching and shearing machines;
- (3) the making of alcoholic beverages in bottling plants;
- (4) electric and power generating plants;
- (5) steam laundries;
- (6) any quarry;
- (7) the operation of power-driven woodworking machines;
- (8) spray painting or occupations involving exposure to lead or its compounds, or to dangerous or poisonous dyes, and chemicals;

(9) any other business, industry or any other occupation that the Commissioner, upon investigation, and after public notice and hearing, shall find and by order declare to be particularly hazardous for the employment of minors, or detrimental to their health, safety, morals, or well being;

Provided, That such order of the Commissioner may be made on an industry or business basis specifying the occupations therein that are not covered, or on an occupational basis, irrespective of the industry or business in which the occupation is found; And provided further, That such order may be also made on the basis of sex or categories of age groups. —Added April 1, 1964, No: 1112, § 1, Sess. L. 1964, p. 57.

CROSS REFERENCES

Employment of children under age of 16 years in any occupation injurious to health or morals or hazardous to life or limb prohibited, see section 3 of 1954 Revised Organic Act of Virgin Islands (July 22, 1954, ch. 558, 68 Stat. 497.). set out preceding Title 1.

§ 404. Administration by, and regulations of, Commissioner; consultation with other officials

Except as herein otherwise specifically provided, the Commissioner shall administer the provisions of this chapter, and is authorized to issue, subject to the approval of the Governor, such regulations and orders consistent with the provisions of this chapter as may be necessary or appropriate to effectuate and implement the same. In the preparation of such regulations and orders the Commissioner shall consult with Education, Health, and Social Welfare, and with such other agencies of the territorial or Federal Government having to do with matters affecting the health, safety, morals or well-being as may be appropriate.—Added April 1, 1964, No. 1112. § 1, Sess. L. 1964, p. 57.

§ 405. Nonapplicability to employment of minors under certain programs; notice

The provisions of this chapter shall not apply to employment of minors under supervised on-the-job training programs, including apprenticeship or student-learner programs, authorized by law; Provided. That an employer shall prior to commencement of a minor's employment under such a program notify Education as to the same. —Added April 1, 1964, No. 1112, § 1, Sess. L. 1964, p. 57.

§ 406. Violation of chapter or rules or regulations

Any employer who willfully violates any provision of this chapter or of any rules or regulations pursuant thereto shall be guilty of a misdemeanor. —Added April 1, 1964, No. 1112, § 1, Sess. L. 1964, p. 57.

§ 407. Injunctive actions by Attorney General

In addition to any other penalty specified by law, the Attorney General may bring action in any of the Courts of the Virgin Islands to restrain violations of this chapter. —Added April 1, 1964, No. 1112. § 1, Sess. L. 1964, p. 57.

U.S. Department of Labor

Fact Sheet ESA 91-3

Federal Child Labor Laws in Nonfarm Jobs

The Fair Labor Standards Act of 1938 (FLSA), as amended, protects young workers from employment that might interfere with their educational opportunities or be detrimental to their health or well-being.

The FLSA applies to most of the workers in the U.S. It covers all workers who are engaged in or producing goods for interstate commerce or who are employed in certain enterprises.

Child Labor Standards for 16- and 17-Year-old Youths

Youths aged 16 and 17 may work at any time for unlimited hours in all jobs not declared hazardous by the Secretary of Labor. Hazardous occupations include: working with explosives and radioactive materials; operating certain power-driven woodworking metalworking, bakery, and paper products machinery; operating various types of power-driven saws and guillotine shears; operating most power-driven hoisting apparatus such as non-automatic elevators, fork lifts, and cranes; most jobs in slaughtering, meat packing, rendering plants, and the operation of power-driven meat processing machines when performed in wholesale, retail or service establishments; most jobs in excavation, logging, and sawmilling; roofing, wrecking, demolition, and shipbreaking; operating motor vehicles or working as outside helpers on motor vehicles; and most jobs in the manufacturing of bricks, tiles, and similar products.

Exemptions from some of the hazardous occupations orders apply for apprentices and students in vocational education programs.

Child Labor Standards for 14- and 15-Year-old Youths

Youths aged 14 and 15 may work in various jobs outside school hours under the following conditions: no more than 3 hours on a school day with a limit of 18 hours in a school week; no more than 8 hours on a nonschool day with a limit of 40 hours in a nonschool week; and not before 7 a.m. or after 7 p.m., except from June 1 through Labor Day, when the evening hour is extended to 9 p.m.

Workers 14 and 15 years of age may be employed in a variety of jobs: office work; various food service jobs, including cashiering, waiting on tables, washing dishes, and preparing salads and other food (although cooking is permitted only at snack bars, soda fountains, lunch counters, and cafeteria serving counters); sales work and other jobs in retail stores; errand and delivery work by foot, bicycle, and public transportation; dispensing gasoline and oil and performing courtesy services in gas stations; and most cleanup work.

Minors who are 14 and 15 years old may not work in the following jobs: manufacturing, mining, most processing work, and all occupations declared hazardous by the Secretary of Labor; operating or tending most power-driven machinery; public messenger service; and work connected with warehousing, storage, transportation, communications, public utilities, and construction (except office and sales jobs when not performed on transportation vehicles or on construction sites).

more . . .

ATTACHMENT C: FAIR LABOR STANDARDS ACT OF 1938 CHILD LABOR LAW

Youths under 14 may work only if their jobs are exempt from the child labor standards or not covered by the FLSA. Exempt work includes: delivery of newspapers to consumers; performing in theatrical, motion picture, or broadcast productions; and work in a business owned by parents of the minor, except in manufacturing or hazardous occupations.

All states have child labor laws; when both state and federal child labor laws apply, the law setting the more stringent standard must be observed.

Federal law does not require age certificates or work permits. Employers may protect themselves from unintentional violations of the child labor laws by keeping on file an age certificate or work permit for each minor employed. Certificates and permits issued under most state laws are acceptable for this purpose.

The Wage and Hour Division of the U.S. Labor Department's Employment Standards Administration enforces the federal child labor laws. Employers may be fined up to \$10,000 for each minor who is the subject of a child labor violation.

For more information . . .

Contact the nearest office of the Wage and Hour Division, listed in most telephone directories under U.S. Government, Department of Labor, Employment Standards Administration.

**Workforce Development
Youth Services
Work Experience**

Youth Evaluation Sheet

To be Completed by the Worksite Supervisor
At the End of the Work Experience and
Returned to the Workforce Development – Youth Services

Customer's Name _____

Worksite _____

Worksite Supervisor _____

Counselor _____

		Check one for each Activity			
Activity		Excellent	Good	Fair	Poor
1.	Punctuality # of Times Late _____	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
2.	Attendance # of Unexcused Absences _____	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
3.	Appearance/Grooming	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
4.	Attitude Toward Others/Job	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
5.	Cooperation with Others	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
6.	Conduct on the Job	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
7.	Understanding of Job Duties	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
8.	Following Directions and Rules	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
9.	Completing Assigned Tasks	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

ATTACHMENT D: YOUTH EVALUATION SHEET

Youth Evaluation Sheet - Work Experience

Problems the youth has outside of work which interfered with performance:

None	Transportation	Alcohol or Substance Use
Health	Family	Financial
Legal	Child Care	Other

Could you recommend youth favorably: ____yes ____no

Comments and/or Suggestions for further training or support:

Signature

Date

[illegible]

Workforce Innovation and Opportunity Act (WIOA) Grievance Procedure

Step 1 Supervisor/Counselor

1. The aggrieved customer should present his/her grievance, either orally or in writing, to his/her immediate supervisor and the Workforce Development Unit (WDU) counselor.
2. The immediate supervisor shall, within five (5) working days of notification of the grievance, meet with the customer and his/her WDU representative to discuss the grievance. A decision regarding the disposition of the grievance should be conveyed in writing to the customer within two (2) working days following the conclusion of the meeting.
3. If the grievance is settled at this point, no further action is taken.
4. If the customer has not heard from his/her supervisor within five (5) working days after submitting the grievance, the customer should present the grievance directly to the next in line of authority.
5. If the grievance is not settled at Step 1, the supervisor, or next person in line of authority, shall be obligated, within (5) working days, to arrange a meeting with Workforce Innovation and Opportunity Act Grievance Officer and the customer, at which time the customer and his/her WDU counselor may present the grievance.

Step 2 Grievance Officer

1. Upon receiving notice of the grievance, the Grievance Officer may wish to investigate the grievance further before meeting with the aggrieved customer and his/her WDU Counselor.

The Step 2 meeting should take place within five (5) working days after notification of the grievance. The Grievance Officer may desire to have a member of management present at the discussion.

2. The Grievance Officer's decision should be conveyed in writing to the customer within two (2) working days following the conclusion of the meeting. If the grievance is settled at this step, no further action is taken. A copy of the Grievance Officer's decision is retained in the customer's file.
3. If the customer is not satisfied with the Grievance Officer's decision, the customer may appeal the decision, within five (5) working days, to the Commissioner of Labor.

Step 3 Departmental Hearing

1. The Commissioner of Labor shall assign the hearing to a designee from among the Assistant Commissioners, Directors and Departmental Adjudicator. The Hearing Officer will consider the customer's appeal at a hearing scheduled within ten (10) working days. The grievance hearing procedure shall include written notice of the date, time and place of the hearing, an opportunity to represent evidence and a written decision.
2. The Grievance Officer shall submit all information available from Step 2 to the Hearing Officer. The hearing shall be conducted in accordance with the Rules and Regulations set forth in Chapter Three (3) of Title 24 of the Virgin Islands Code.
3. The Hearing Officer's decision shall be conveyed in writing to the customer within five (5) working days following the conclusion of the meeting in which disposition of the case is determined and a copy shall be included in the customer's record.
4. If the complainant does not receive a decision at this level within sixty (60) days of filing the complaint or receives a decision unsatisfactory to the complainant, the complainant has a right to request a review of the complaint by the Governor. The request for review shall be filed within ten (10) days from the date on which the complainant should have received a decision. The Governor, through his designee, the Commissioner of Labor, shall issue a decision within thirty (30) days. The Governor's decision is final.
5. Should the Governor, through his designee, the commissioner of Labor, fail to provide a decision as required, the complainant may request, from the United States Secretary of Labor, a determination whether or not reasonable cause exists to believe that the Act or its regulation have been violated.

ATTACHMENT F: GRIEVANCE PROCEDURE

Step 4 Secretarial Hearing

1. A grievance or complaint may be made to the Secretary of Labor in the event that a decision could not be reached by the State within 60 days of receipt of grievance or complaint; or in the event that a decision has been reached and the party to which such decision is adverse appeals the decision.
2. Appeals made because the decision is adverse must be filed within 60 days of the receipt of the decision being appealed.
3. Appeals made because a decision by the State has not been made within 60 days of the complaint, must be filed within 120 days of filing the grievance with the State or the filing of the appeal of a local grievance with the State.
4. A final decision will be made by the Secretary no later than 120 days of making after making the appeal.
5. All appeals must be submitted by certified mail, return receipt requested to the Secretary, US Department of Labor, Washington, DC 20210; Attention: ASET.
6. A copy of the appeal must be simultaneously provided to the appropriate ETA Regional Administrator, Region 1 and the opposing party.

This is to acknowledge receipt of one copy of the Grievance Procedure for **WIOA.**

Participant Name (print)

Participant Signature

Date Received