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# WORKFORCE SOLUTIONS

*Connecting Job Seekers with Employers*

## SUBSIDIZED EMPLOYMENT WORK SITE AGENCY AGREEMENT

This agreement is entered into and between Workforce Solutions for South Texas and the undersigned Work Site Business/Agency in connection with Subsidized Employment. The purpose of this agreement is to provide a statement of responsibilities for each of the parties to this agreement.

### Workforce Solutions for South Texas

1. WORKFORCE SOLUTIONS will provide group or individual orientation to the worksite's direct supervisor and the alternate supervisors, prior to the assignment of a trainee to a worksite. Such orientation will include the objectives of the program, the required documentation for placement (placement authorization form), supervisory responsibilities, training responsibilities, record keeping and program regulations.
2. WORKFORCE SOLUTIONS will use the trainee's component enrollment and objective assessment results to assist with the trainee's assignment to a work site slot.
3. WORKFORCE SOLUTIONS will provide access to a full-time employer liaison that will assist the worksite with the identification and resolution of training issues.
4. WORKFORCE SOLUTIONS will observe worksites for compliance with all objectives of the program, supervisor responsibilities, training responsibilities, record keeping, safety, and compliance with applicable program regulations including Child Labor Laws when applicable.
5. WORKFORCE SOLUTIONS will pay all subsidized employee wages for the scheduled work hours as stated on the Placement Authorization Form and in accordance with current Federal Minimum Wage Regulations.
6. WORKFORCE SOLUTIONS will maintain a current Worker's Compensation Policy for all work experience trainees.
7. WORKFORCE SOLUTIONS may provide, at no cost to the worksite, all safety equipment required for the Subsidized Employment.

### Work Site Business/Agency

1. Business/Agency Supervisors, direct and alternate, will attend their scheduled orientation and have a working knowledge of the objectives of the program, supervisor responsibilities, Subsidized Employment responsibilities, record keeping and DOL regulations.
2. Business/Agency will provide full time supervisors for the trainee during their scheduled work hours. Full time supervision may be provided by the direct supervisor or the alternate supervisor. If during the training period, the worksite reassigns supervisory responsibilities associated with the trainee, the worksite, within 48 hours of such reassignment, will notify the assigned employer liaison and arrange for an individual supervisor orientation.

Funded by the Workforce Solutions for South Texas Workforce Development Board

Workforce Solutions for South Texas is an Equal Opportunity Employer/Program

Auxiliary aid available upon request to individuals with disabilities

Texas Relay: Telecommunication Device for the Deaf (TDD) "711" or 1-800-735-2888 or 1-800-735-2988 (Voice)



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3. Business/Agency Supervisors will provide the training as stated on the Subsidized Employment Placement Authorization and schedule only those work hours as stated on the Subsidized Employment Placement Authorization.
4. Business/Agency will provide the trainee with the full-time supervision, job training, safety training, supplies, and equipment necessary to complete assigned tasks.
5. Business/Agency will cooperate with all worksite monitoring by WORKFORCE SOLUTIONS, the South Texas Workforce Development Board (a.k.a. Workforce Solutions for South Texas), the Texas Workforce Commission and program.
6. Business/Agency agrees to comply with all Wages and Hour Regulations, and all other statutes or regulations applicable to the Subsidized Employment trainee.
7. Business/Agency will not discriminate with respect to any trainee or potential trainee because of race, creed, color, national origin, sex, political affiliation or beliefs. Further, they will comply with Titles VI and VII of the Civil Rights Act of 1964, as amended and all other applicable Federal, State, and Local Laws and Regulations applicable to non-discriminatory practices. Further, it is understood and agreed that trainees in the program will not be employed in the construction, operation, or maintenance of any facility used or planned for use for sectarian activities or as a place for religious worship.
8. Business/Agency shall ensure that compliance with Texas Government Code §2264.051, which states that a business that applies to receive a public subsidy<sup>1</sup> from a state agency shall certify that the business, or a branch, division, or department of the business does not and will not knowingly employ an undocumented worker<sup>2</sup> as defined in Texas Government Code, §2264.001(4).
9. Business/Agency agrees this project will not result in the displacement of any currently employed workers.

**Other**

1. Overtime, vacation, and holiday hours for trainees are not subsidized (paid) by Workforce Solutions.
2. All forms are incorporated herein by reference and shall be construed as part of this agreement.

<sup>1</sup> *Public Subsidy* is broadly defined Texas Government Code §2264.001(3) as a public program or public benefit or assistance of any type that is designed to stimulate the economic development of a corporation, industry, or sector of the state's economy or to create or retain jobs in Texas. The term includes, among other things, bonds, grants, loans, loan guarantees, benefits relating to an enterprise or empowerment zone, infrastructure development and improvements designed to principally benefit a single business or defined group of businesses, and matching funds. The Commission's Office of General Counsel has found that HB 1196 does not apply to the acquisition of goods and services.

<sup>2</sup> *Undocumented worker* is defined as an individual who, at the time of employment, is not lawfully admitted for permanent residence in the United States, or is not authorized under law to be employed in that manner in the United States.

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3. Workforce Solutions reserves the right to remove trainees from the Work site(s) if violations of Workforce Solutions policy or Wage and Hour Regulations occur.

*This agreement is in effect, when a duly authorized representative of worksite business/agency and WORKFORCE SOLUTIONS signatures are affixed, and shall be in force until terminated in writing by either party.*

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|---|---|
| <b>Work Site Agency:</b> _____                                      | <b>Issuing Office:</b> <u>Workforce Solutions, South Texas</u>  |
| <b>Address</b> _____  | <b>Address:</b> <u>2389 E. Saunders</u>   |
| <b>City, State, Zip Code</b> _____                                  | <b>City, State, Zip Code:</b> <u>Laredo, Texas 78041</u>  |
| <b>Phone:</b> _____   | <b>Contact Phone#:</b> <u>956-794-6561</u>  |
| <b>Authorized Representative Printed Name &amp; Title:</b><br>_____ | <b>Authorized Representative Printed Name &amp; Title:</b><br><u>Andrea De La Garza, Project Director</u> |
| <b>Signature:</b> _____   | <b>Signature:</b> _____   |
| <b>Date:</b> _____  | <b>Date:</b> _____  |

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