



# WORK EXPERIENCE / 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 participant 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 participant's component enrollment and objective assessment results to assist with the participant'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 participants.
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 participant 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 participant, the worksite, within 48 hours of such reassignment, will notify the assigned employer liaison and arrange for an individual supervisor orientation.

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3. Business/Agency Supervisors will provide the training as stated on the Work Experience/Subsidized Employment Placement Authorization and schedule only those work hours as stated on the Work Experience/Subsidized Employment Placement Authorization.
4. Business/Agency will provide the participant 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, 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 participant.
7. Business/Agency will not discriminate with respect to any participant or potential participant 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 participants 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**

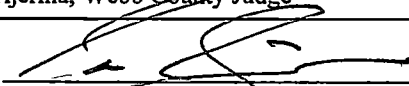
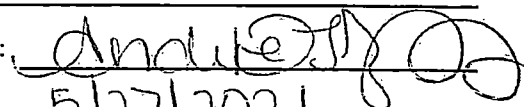
1. Overtime, vacation, and holiday hours for participants are not subsidized (paid) by Workforce Solutions.
2. If the participant's timesheet exceeds 40 hours/week, the participant will get paid time and half. The excess of hours is the sole responsibility of the employer. SERCO of Texas will bill the employer one week after payroll.
3. All forms are incorporated herein by reference and shall be construed as part of this agreement.
4. Workforce Solutions reserves the right to remove participants from the Work site(s) if violations of Workforce Solutions policy or Wage and Hour Regulations occur.

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<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.

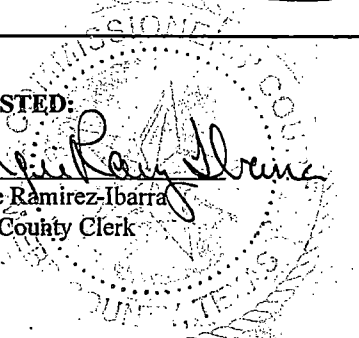
<sup>2</sup> *Undocumented worker* is defined as an individual who, at the time of employment, is not lawfully admitted for permanent residence in the United States, or is not authorized under law to be employed in that manner in the United States.

*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.*

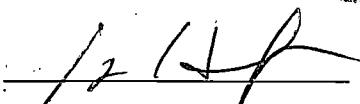
<b>Work Site Agency:</b> <u>Webb County</u>	<b>Issuing Office:</b> <u>Workforce Solutions for South Texas</u>
<b>Address:</b> <u>1110 Washington St. Suite 204</u>	<b>Address:</b> <u>1406 Jacaman Road, Suite A</u>
<b>City, State, Zip Code:</b> <u>Laredo, Texas 78040</u>	<b>City, State, Zip Code:</b> <u>Laredo, Texas, 78041</u>
<b>Phone:</b> <u>956-523-4143</u>	<b>Contact Phone#:</b> <u>(956) 794-6480</u>
<b>Authorized Representative Printed Name &amp; Title:</b> <u>Tano E. Tijerina, Webb County Judge</u>	<b>Authorized Representative Printed Name &amp; Title:</b> <u>Andrea De La Garza- Project Director</u>
<b>Signature:</b> 	<b>Signature:</b> 
<b>Date:</b> <u>5/26/2021</u>	<b>Date:</b> <u>5/27/2021</u>

**ATTESTED:**

  
 Margie Ramirez-Ibarra  
 Webb County Clerk



**APPROVED AS TO FORM:**

  
 General Counsel

Webb County Civil Legal Division \*

\*The General Counsel, Civil Legal Division's office, may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a contract or legal document on behalf of other parties. Our review of this document was conducted solely from the legal perspective of our client. Our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval, and should seek review and approval of their own respective attorney(s).

Passed and approved by the Webb County  
 Commissioners Court On March 8, 2021; item no. 15a .