



Work Based Learning Coordinator

Karen Noye

John Jay High School • Roy C Ketcham High School • Orchard View High School

845-298-5100 x31077

Memorandum of Agreement

This establishes an agreement between Wappingers Central School District and Business:

Business Name	
Business Address	
Contact/ Mentor Name	
Phone Number	
Email Address	
Student Name:	
Date of Birth	
Address	
Phone	
Emergency Contact	
Phone Number	

Guidelines:

- The Work-Based Learning program will comply fully with all applicable New York State and Federal labor laws, including workers compensation laws and those specific to prohibited occupations, as well as with New York State Education Department laws and regulations.
- The employer/ mentor and the Coordinator of Work-Based Learning program will supervise the work-based learning experience.
- The student will be evaluated during the program and must maintain satisfactory standards of performance to continue in the experience.

Student's Work Schedule:

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday



Responsibilities

Employer:

- Appropriate general safety instruction for each job station will be provided.
- An on-the-job mentor will be identified and assigned to the student for the duration of the experience.
- This program will comply with all Federal and State Labor Department and New York State Education Department laws/regulations. **In the event the student may be working in a New York State Department of Labor (NYSDOL) deemed hazardous location and/or a prohibitive occupation all parties will comply with current USDOL, NYSDOL and NYSED regulations.**
- The employer acknowledges that the New York State Workers Compensation Board Employers' Handbook <http://www.wcb.ny.gov/content/main/Employers/EmployerHandbook.pdf> (May, 2010 edition), at page 42, states the following about workers compensation coverage for student interns:

Student interns are individuals that are providing services to gain work experience. An unpaid student intern providing services to a for-profit business, a nonprofit or a government entity is generally considered to be an employee of that organization and should be covered under that organization's workers' compensation insurance policy. Workers' Compensation Law Judges have ruled that the training received by student interns constitutes compensation (even though the student interns may not be receiving actual "cash payments" for their efforts).

Exception: Please note that student interns (paid or unpaid) providing non-manual services to a religious, charitable or educational institution (covered under Section 501(c)(3) of the IRS tax code) are exempt from mandatory coverage (but can also be covered voluntarily). [Manual labor includes but is not limited to such tasks as filing; carrying materials such as pamphlets, binders, or books; cleaning such as dusting or vacuuming; playing musical instruments; moving furniture; shoveling snow; mowing lawns; and construction of any sort.]

Naturally, a paid student intern providing services to a for-profit business, a nonprofit (other than a nonprofit that is covered under Section 501(c)(3) of the IRS tax code) or a government entity should be covered under that organization's worker's compensation insurance policy.

- Students will be accepted into this program and otherwise treated without regard to age, color, religion, creed, disability, marital status, national origin, race, gender or sexual orientation.
- The work based learning program/experience will comply fully with **ALL** of the following criteria points, which are outlined in the United States Department of Labor's Employment Relationships Under the Fair Labor Standards Act—

Whether trainees or students are employees of an employer under the Fair Labor Standards Act will depend upon all of the circumstances surrounding their activities on the premises of the employer. If **ALL** of the following criteria apply, the trainees or students are **NOT** considered employees within the meaning of the Act:

- a. the training, even though it includes actual operation in the facilities of the employer, is similar to that which would be given in a vocational school;
- b. the training is for the benefit of the trainees or students;
- c. the trainees or students **DO NOT DISPLACE** regular employees, but work under their close observation;
- d. the employer that provides the training **DERIVES NO IMMEDIATE ADVANTAGE** from the activities of the trainees, and on occasion, his operations may actually be impeded; the trainees or students are not necessarily entitled to a job at the conclusion of the training period; and
- e. the employer and the trainees or students understand that the trainees or students are not entitled to wages for the time spent in the extended classroom (in the case of an unpaid WBL experience).



School and student:

- The work based learning program will be supervised by a Certified Coordinator of Work Based Learning for Career Development.
- The student must abide by all regulations set forth by participating business. Failure to do so can cause immediate removal from the site or the participating business (i.e., dress code, behavior).
- The student is representing the School District/BOCES in the community, therefore we expect him/her to act and behave appropriately according to the expectations of the company.
- The student will be expected to attend the work site daily, as per schedule. The student must inform the employer/mentor and the school’s Main Office classroom teacher by telephone of all unexpected absences from the worksite during his/her off-campus experience.
- The student must keep a Daily Journal, according to criteria developed by the coordinator and the instructor, for the WBL experience. The student will be evaluated during the program, and must maintain satisfactory standards of performance to continue in the experience.

Signatures of Agreement:

_____	_____
Student Signature	Date
_____	_____
Mentor/ Supervisor Signature	Date
_____	_____
Parent Signature	Date
_____	_____
WBL Coordinator Signature	Date
_____	_____
Principal Signature	Date

The Wappingers Central School District does not discriminate on the basis of race, color, national origin, sex, disability or age in its programs and activities. The compliance officer is Dr. Dwight Bonk and is available at the Wappingers Central School District, 25 Corporate Park Drive, Hopewell Junction NY 12533 845-298-5000. Email: Dwight.Bonk@wcsdny.org



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