**Work-Based Learning Forms & Procedural Safeguards to Ensure Adherence to Fair Labor & Standards Act (FLSA)**

**Six (6) Criteria for Ensuring There is No Employer/Employee Relationship**

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| Documentation/Evidence to Support Adherence to Fair Labor & Standards Act (6 Criteria ensuring no Employer/Employee  \*Recommended form also a required form | Six (6) Criteria to Ensure That There is No Employer-Employee Relationship (FLSA) for Training/non-paid WBL Sites | | | | | | |
| The WBL experience  must benefit the  student | The WBL experience  must not benefit  the business and at  times may hinder  the operations  of the business | The student must not displace a regular employee | The WBL experience must resemble a typical vocation situation/setting | There must be no expectation for wages during the training experience | There must be no expectation for a job after training | General Liability |
| **WBL Training Agreement\*** |  |  |  |  |  |  |  |
| **Training Plan / Progress Report / Safety Training Record\*** |  |  |  |  |  |  |  |
| **Insurance & Emergency Information\*** |  |  |  |  |  |  |  |
| **WBL Summary Form\*** |  |  |  |  |  |  |  |
| **Vocational Summary Form by Clusters** |  |  |  |  |  |  |  |
| **Transportation Options** |  |  |  |  |  |  |  |
| **CBVE/WBL Sign in & Out Sheet** |  |  |  |  |  |  |  |
| **Hazardous Occupation Student Learner Exemption Agreement** |  |  |  |  |  |  |  |
| **Employer/Supervisor Feedback Form** |  |  |  |  |  |  |  |
| **Student Evaluation of WBL Experience** |  |  |  |  |  |  |  |
| **Employer Evaluation of WBL experience** |  |  |  |  |  |  |  |
| **Appropriate Work Habits Data Sheet (with FLSA)** |  |  |  |  |  |  |  |
| **Task /job analysis- 5,10,20 steps** |  |  |  |  |  |  |  |
| **WBL Sites Chart Template** |  |  |  |  |  |  |  |
| **Student’s IEP** |  |  |  |  |  |  |  |

*Liability refers to obligations bound by law. Liability issues arise when school personnel fail to use “reasonable care” towards another person or person’s property. Much of the documentation used in establishing and developing a system of WBL is designed to show that there is no employer-employee relationship if the student is not being paid, and so that the business and the school can ensure that they are adhering to the FLSA.*