

## **Questions and Answers about Career Counseling for Workers Earning Less than Minimum Wage**

### **What is Career Counseling?**

Career counseling is guidance designed to help with choosing, changing, or leaving a career and can be helpful no matter how long you have been working.

### **Why is Career Counseling Necessary?**

On July 22, 2014, the Workforce Innovation and Opportunity Act (WIOA) became law. Section 511 of WIOA includes requirements for individuals earning less than minimum wage to receive career counseling and related instruction at least once a year for as long as they continue earning less than minimum wage.

This is required to ensure those who are ready to transition to competitive integrated employment are aware of programs available in the community to help them be successful in this transition.

Under WIOA, your employer must be able to prove that you have received this career counseling and related instruction by July 22, 2017 in order to be able to continue paying you less than minimum wage in your current job.

### **How Often Do Workers Earning Less Than Minimum Wage Need Career Counseling and Related Instruction?**

Workers who started employment at less than minimum wage after July 22, 2016 must receive these services every six months in their first year of employment.

Workers who began earning less than minimum wage before July 22, 2016 need to receive this service once prior to July 22, 2017, and once a year for each year that they earn less than minimum wage.

### **What Can Workers Expect When Receiving Career Counseling and Related Instruction?**

Examples of topics that could be discussed during career counseling and related instruction, include:

- Self-advocacy, self-determination and setting high expectations
- Your strengths, interests, abilities, capabilities, resources, priorities, and concerns
- Use of labor market information to explore jobs
- Identifying employment goals for type of job, pay, hours, and benefits
- Developing people skills needed for working in the community
- Social Security Benefits Planning

## **How Do Workers Earning Less Than Minimum Wage Begin Receiving Career Counseling and Related Services?**

In Maryland, the programs paying less than minimum wage to its employees have two ways to get their employees the required career counseling and related instruction during the required timeframes:

1. **Group Presentation:** The program has been given information on how to make arrangements for the Maryland State Department of Education, Division of Rehabilitation Services (DORS) to provide this career counseling and related instruction for workers earning less than minimum wage. The employer will notify its workers well in advance of the date that DORS will be providing this career counseling session, so the workers can decide whether to attend and whether they want to invite others to attend with them also. Note: the worker earning less than minimum wage must be present for the career counseling if they want their employer to be able to continue paying them less than minimum wage.
2. **Video Presentation:** A closed-captioned, video recording of this group presentation is available on the DORS website. A worker can count watching this video as part of career counseling, especially when two career counseling sessions are required within his or her first year of employment, by going to the website, answering a couple questions for documentation purposes, and then watching the video. Once the video has been watched, documentation that the worker participated will be emailed to the email address provided by the worker, and the worker can then provide this documentation to the employer.

### **To start watching the video**

- 1) Go to [www.dors.maryland.gov](http://www.dors.maryland.gov)
- 2) On the DORS webpage, go to COMMUNITY PARTNERS
- 3) Go to 14(c) Program Resources
- 4) Select the link for "Career Counseling, Information and Referral Video Presentation for Subminimum Wage Earners"
- 5) Follow the instructions and watch the video.

**Remember:** Workers earning subminimum wage need to document for their employers when they have received the required career counseling and related instruction at the required intervals. This will enable the employer to continue legally paying these workers less than minimum wage, until such time they are ready to pursue competitive integrated employment.