



Worksite Agreement Selection Guide

Purpose: Worksite Agreements establish clear roles and responsibilities between the employer, participant, and EMI. It ensures compliance with labor laws, outlines supervision and safety requirements, and protects all parties by defining liability and administrative processes. This agreement allows participants to gain meaningful work experience while reducing risk for employers.

While Earn and Learn has its own program specific worksite agreement, other programs need to choose between the Employer of Record (EOR) EMI and the Employer of Record Employer agreements.

To determine which one you need consider which party will have day-to-day responsibility for:

- Who is responsible for maintain compliance with labor laws, EEOC rules, child labor protections, insurance requirements, and workplace safety regulations?
- Who is paying the participant's wages?

If the answer is **EMI**, then use the Worksite Agreement EOR EMI.

If the answer **some other business**, then use the Worksite Agreement EOR Employer.

Worksite Agreement Comparison	Employer of Record EMI	Employer of Record Business	Earn and Learn*	Sub Recipient PY25 07.01.25 (WIOA Youth)
Target Population	Adults in EMI programs	Adults in EMI programs	Youth participants in Earn & Learn	WIOA Youth Programs
Employer of Record/Who is Paying Wages	EMI	Business	Business	EMI
Supervision Requirement	Full-time qualified supervisor	Full-time qualified supervisor	1 adult supervisor per 5–10 participants	Full-time qualified supervisor
Maximum Hours per Week	29 hours	29 hours (the business is only reimbursed for 29 hrs. regardless of hours worked)	20 hours	OSY 29 hours, ISY commensurate with child labor laws but not to exceed 20 hrs. for youth aged 16+
Work Activities Allowed	Paid work experience, internships	Paid work experience, internships	Paid work experience	Paid work experience
Academic Component	Not required	Not required	Required (academic + occupational education)	Required (academic + occupational education)
Payroll Process	EMI handles payroll	Business handles payroll and invoices EMI for reimbursement	EMI handles payroll	EMI handles payroll
Unique Provisions	EMI is employer of record; EMI pays wages	Business is employer of record; employer pays wages	Includes hiring restrictions, work permits, academic learning, family relationship restrictions	EMI is employer of record; EMI pays wages

*Exceptions may apply. See your supervisor for assistance.

Employ Milwaukee is an Equal Opportunity Employer and Service Provider. If you need this information in an alternate format, or in a different language at no cost to you, please contact us at (414) 270-1700. Deaf, hard of hearing, or speech impaired callers can contact us through Wisconsin Relay Service at 711

Revised 12/4/2025