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Oklahoma Employment and Training Issuance #12-2011 Final State Policy

TO: SCSEP Grantees

FROM: Lisa Graven, Director
Workforce Services Division

DATE: June 22, 2011

SUBJECT: Senior Community Service Employment Program (SCSEP) Policy and Procedures

PURPOSE: To update and clarify policy on the administration of the SCSEP in accordance with the 20 CFR Part 641 Senior Community Service Employment Program, Final Rule. The Final Rule, published in the Federal Register September 1, 2010, and effective October 1, 2010, supersedes the April 2004 Final Rule and the 2007 Interim Final Rule. The purpose of the new SCSEP Final Rule is to provide guidance on implementing changes resulting from the 2006 Amendments to the Older Americans Act and to provide administrative and programmatic guidance on the requirements for implementation of the SCSEP.

The following changes have been made as a result of the new Final Rule:

- A definition has been added for the term “job ready.” See Attachment A – SCSEP Definitions of this policy.
- Emphasis has been placed on continued coordination with WIA. See pages 1 – 2 for Memorandum of Understanding (MOU) requirements.
- Priority of Service has been extended to more participants. For all targeted populations and the order in which they are to be served, see pages 7 – 8.
- Grantees **must** determine whether or not a participant qualifies as an employee of the grantee, local project or host agency, under applicable law. For information on determining a participant’s employee status, see page 10.
- Compensation **must** be provided for scheduled work hours during which a host agency’s business is closed for a Federal holiday, which may be paid or in the form of rescheduled work time within a reasonable time period. See page 11 for a complete list of Federal holidays that are to be observed.
- Participant Leave of Absence has been reduced to 120 hours. See page 12 for more information and guidelines.

- New minimum requirements for host agency file documentation and monitoring have been added. See page 15 and 18 – 20, respectively for information regarding these requirements. In addition, Attachment F – SCSEP Host Agency Monitoring Guide has been added as a sample guide for grantees to use in monitoring.
- A Transitional Service IEP **must** be created for participants at 12 months and 6 months prior to exiting the program due to reaching their individual durational limit. For the requirements of the Transitional Service IEP, see pages 24 – 25.
- Waiver criteria for continued participation in the SCSEP despite reaching the individual durational limit have been modified. Page 25 lists the new waiver criteria and the steps to be following in requesting a waiver from OESC. Grantees **must** use Form 12-2011/02 – Waiver Request of 48 Month Durational Limit.
- SCSEP grievance procedures have been added to the policy. All grantees **must** provide written grievance procedures to every SCSEP participant. See pages 29 – 31.
- The SCSEP Participant Handbook has been standardized with an acknowledgment of receipt page that grantees **must** have every participant assigned. See Form 12-2011/01.

BACKGROUND: The SCSEP is the only federally-sponsored employment and training program targeted specifically to low-income older individuals who want to enter or re-enter the workforce. Participants must be unemployed, 55 years of age or older, and have incomes of no more than 125 percent of the Federal poverty level. The program offers the opportunity to participants to foster economic self-sufficiency through part-time opportunities in community service assignments that eventually lead to unsubsidized employment in both the public and private sectors.

MESSAGE: In the 2006 OAA, Congress expressed its sense of the benefits of the SCSEP, stating, “placing older individuals in community service positions strengthens the ability of the individuals to become self-sufficient, provides much-needed support to organizations that benefit from the increased civic engagement, and strengthens the communities that are serviced by such organizations” [OAA § 516(2)].

Although some of the regulations remain unchanged from the 2004 SCSEP Final Rule, 20 CFR Part 641 effective October 1, 2010, does include significant changes to this program, most notably, the new 48-month limitation on participation and the increase in available funds for training and supportive services. For this reason, this policy is being issued to provide an outline of operational principles and procedures for the Senior Community Service Employment Program.

ACTION REQUIRED: This OETI is effective immediately and is to become a part of your permanent records. Please make this issuance available to all appropriate personnel. Local grantees **must** develop policy that is in compliance with this OETI.

RESCISSIONS: This policy rescinds OETI 02-2005, OETI 09-2007, and OETI 27-2009.

REQUIRED FORMS:

- Form 12-2011/01 – SCSEP Participant Handbook
- Form 12-2011/02 – Waiver Request of 48 Month Durational Limit

ATTACHMENTS: To assist SCSEP Grantees with the writing of local policies, OESC's Workforce Services Division has provided the following sample forms as attachments to this OETI.

- Attachment A – SCSEP Definitions
- Attachment B – SCSEP Income Inclusions and Exclusions
- Attachment C – Family Size Verification
- Attachment D – Income Worksheet
- Attachment E – Leave of Absence Form
- Attachment F – SCSEP Host Agency Monitoring Guide

INQUIRIES: If you have questions regarding this issuance, please contact either John Cole at 405-557-5344, john.cole@oesc.state.ok.us, or Tami Decker at 405-962-7595, tdecker@oesc.state.ok.us

Senior Community Service Employment Program Policy and Procedures

Operational Principals

The SCSEP, authorized by Title V of the Older Americans Act, is the only Federally-sponsored employment and training program target specifically to low-income older individuals who want to enter or re-enter the workforce. The program offers participants training at community service assignments in public and non-profit venues to provide on-the-job experience. The ultimate goal of the program is help participants achieve economic self-sufficiency through eventual placement into unsubsidized employment.

In the Older Americans Act of 2006, Congress expressed its sense of the benefits of the SCSEP, stating that “placing older individuals in community service work-training positions strengthens the ability of the individuals to become self-sufficient, provides much-needed support to organizations that benefit from increased civic engagement, and strengthens the communities that are served by such organizations.”

The SCSEP provides training opportunities to participants that lead to increased participant self-sufficiency by helping these participants:

- Develop a sense of personal and occupational identity including defining realistic job goals;
- Develop sufficient job-related knowledge and flexibility so that they will not be confined to one job but can transfer to another as opportunities for advancement arise;
- Develop personal and social skills needed for successful job performance; and
- Accept and utilize supervision needed for successful job performance.

Coordination with the Workforce Investment Act

Coordination between the SCSEP and the Workforce Investment Act of 1998 (WIA) continues to be an important objective of the 2006 OAA. SCSEP, as a required partner in the workforce investment system, is required to participate in the One-Stop delivery system through coordination of programs, services, and governance structures so that the customer has access to a seamless stream of workforce services. Consistent with current SCSEP practice, any grantee operating a SCSEP project in a local area **must** be involved in the negotiation of the Memorandum of Understanding (MOU) with the Local Workforce Investment Board (LWIB) [WIA § 121, OAA § 511(b), OAA § 502(b)(1)(O)].

The MOU **must** detail the SCSEP grantee’s involvement in the One-Stop delivery system. In particular, SCSEP grantees **must** make arrangements to provide their participants, eligible individuals the grantees are unable to serve, as well as SCSEP-ineligible individuals, with access to services available in the One-Stop Centers (OAA § 510, OAA § 511, 20 CFR 641.210 – 641.230). The LWIB and the SCSEP grantee should negotiate in the MOU arrangements for referral of individuals to WIA who are not eligible for SCSEP. If a LWIB also serves as the SCSEP grantee, a MOU is still required.

In addition to providing core services as defined at 20 CFR 662.240 of the WIA regulations, SCSEP grantees **must** make arrangements through the One-Stop delivery system to provide eligible and ineligible individuals with referrals to WIA intensive and training services and access to other activities and programs carried out by other One-Stop partners (20 CFR 641.210).

Who is a Participant?

According to 20 CFR 641.140, a SCSEP participant is an individual who is determined to be eligible for the SCSEP, is given a community service assignment, and is receiving any service funded by the program as described in Subpart E of the SCSEP final regulations (i.e. has been assessed and has been assigned to a community service assignment position, etc.) and is legally filling an authorized position..

Program Eligibility

Grantees will provide community service assignments and other authorized activities only for eligible individuals, except for necessary technical, administrative, and supervisory personnel, and such personnel will, to the fullest extent possible, be recruited from among eligible individuals.

Anyone who is at least 55 years old, unemployed (as defined in 20 CFR 641.140), and who is a member of a family with an income that is not more than 125 percent of the family income levels prepared by the United States Department of Health and Human Services and approved by the Office of Management and Budget (Federal poverty guidelines) is eligible to participate in the SCSEP [OAA § 518(a)(3),(8)]. For the purposes of determining income eligibility, a person with a disability may be treated as a “family of one” at the option of the applicant.

Initial eligibility is determined at the time individuals apply to participate in the SCSEP. Once individuals become SCSEP participants, grantees **must** verify their continued income eligibility at least once every 12 months. Grantees may also verify an individual’s eligibility as circumstances require, including instances when enrollment is delayed (20 CFR 641.505). The grantee **must** develop written policies and procedures for eligibility determination that are in accordance with 20 CFR 641.500.

In order to be eligible for SCSEP, the following criteria **must** be met and documentation kept in the participant’s paper case file:

*1. Applicant **must** be 55 years of age or older at the time of enrollment:*

- Participant age, which is used both for eligibility and the most-in-need measure, is now calculated from the eligibility determination date rather than the application date for any records entered after July 1, 2006; and
- Documentation is required. Acceptable documentation to prove participant age includes:
 - Drivers License;
 - Federal, State, or Local Government Identification Card;
 - Hospital Record of Birth;

- Birth Certificate;
- Passport;
- School Records/ID Card;
- DD-214 (Report of Separation or Discharge Paper);
- Tribal Records;
- Baptismal Record;
- Work Permit;
- Cross-match with Department of Vital Statistics;
- Public Assistance/Social Services Records;
- Social Security Award Letter;

2. Applicant **must** be a resident of the state where he/she is enrolled in the SCSEP program:

- Residence is defined as an individual's declared dwelling place or address as demonstrated by appropriate documentation. No minimum length of residence is required;
- A homeless individual is considered a resident of the state in which she/he is applying;
- Grantees may accept residents of other states if there is an approved multi-state agreement; and
- Documentation of residence is required. Residence is verified based on any one of the following documents:
 - Lease/Rental Agreement;
 - Approved Cross-Border of Multi-State Agreements;
 - State, Federal or Tribal ID Card;
 - Driver's license;
 - Home utility bill or other billing statement providing documentation of residence or mailing address(if different than address on license or ID);
 - Document from a public or private institution (independent living housing, community based residential facility, assisted living, etc.) or Housing Authority;
 - Official government mail dated within the last 30 days;
 - Social Security Statement;
 - Bank statement;
 - Homeowners or rental insurance policy or statement; or
 - Voter Registration Card.

3. Applicant **must** be legally eligible to work in the United States:

- U. S. Citizenship is not a requirement for enrollment; however, an Employment Eligibility Verification Form (I-9) is required by law for all citizens and non-citizens. As of November 7, 2007, the amended Form I-9 is the only valid version of the form. The Department of Homeland Security will not seek penalties against an employer for using a previous version of the Form I-9 on or before December 26, 2007.
- Documentation of eligibility to work is required. Eligibility to work is verified based on any one of the following documents:
 - Document(s) that satisfy List A of the I-9 form (<http://www.uscis.gov/files/form/i-9.pdf>); or
 - Verification document(s) that satisfy Lists B and C of the I-9 form (<http://www.uscis.gov/files/form/i-9.pdf>).

4. Applicant **must** be currently unemployed.

- The term ‘unemployed,’ used with respect to a person or individual, means an individual who is without a job and who wants and is available for work, including an individual who may have occasional employment that does not result in a constant source of income [OAA § 518(a)(8)].
- Employed on the date of participation is defined in the SCSEP Data Collection Handbook as one who, on the date participation occurs:
 - Did any work at all as a paid employee (except the individual is NOT considered employed if:
 - He/she has received a notice of termination of employment or the employer has issued a Worker Adjustment and Retraining Notification (WARN) or other notice that the facility or enterprise will close; or
 - He/she is currently on active military duty and has been provided with a firm date of separation from military service);
 - Did any work at all in his/her own business, profession, or farm;
 - Worked 15 hours or more as unpaid worker in an enterprise operated by a member of the family; or
 - Was not working, but has a job or business from which he/she was temporarily absent because of illness, bad weather, vacation, labor-management dispute, or personal reasons, whether or not paid by the employer for time off, and whether or not seeking another job.
- Documentation of participant’s unemployed status is required. Unemployment is verified based on the following documentation:
 - Self-attestation.

Note: Employed applicants are presumed to be job-ready and thus ineligible for SCSEP. According to 20 CFR 641.140, the term “*job ready*” refers to individuals who do not require further education or training to perform work that is available in their labor market. Job ready individuals who can be directly placed into unsubsidized employment should be referred to an employment provider, such as the local One-Stop Center for job placement assistance under WIA or another assistance program (20 CFR 641.512).

Whenever a participant has done any work within the last year or two of enrolling, whether it constitutes employment or not, there may be a question as to whether the applicant is job ready. A recent work history creates a presumption that the applicant is job ready and thus would not benefit further from participation in the SCSEP. This presumption may not apply if the participant has had only very limited work experience or if the applicant’s personal circumstances render him/her no longer job ready.

5. Applicant **must** meet revised income inclusions and exclusions for determining SCSEP eligibility.

- An applicant’s income is computed by calculating the includable income received by the applicant during the 12-month period ending on the date an individual submits an application to participate in the SCSEP, or the annualized income for the 6-month period

ending on the application date. DOL requires grantees to use whichever method is more favorable to the individual [OAA § 518(a)(4)].

- On December 28, 2006, USDOL issued Training and Employment Guidance Letter (TEGL) #12-06 to provide administrative guidance on changes in the SCSEP income guideline resulting from the enactment of Public Law 109-365. The law governing the SCSEP defines the term “eligible individual” to limit eligibility to individuals with a “low income”. To determine if an individual is “low income,” TEGL #12-06 provided administrative guidance on income definitions and income exclusion and inclusion. Grantees should refer to Attachment B – SCSEP Income Inclusions and Exclusions for a complete list of income inclusions and exclusions when determining program eligibility.
- To assist grantees, OESC has developed sample “Family Size Verification” and “SCSEP Income Worksheet” forms for capturing and calculating income. Locally developed forms for these eligibility items **must** be completed and maintained in the participant’s file (see Attachments C and D for examples). The locally developed forms **must** be retained in the file for all participants. Verification of continued income eligibility **must** be conducted every 12 months and documented in SPARQ. However, if at any time a grantee determines a change in circumstances may make the participant over-income, a recertification calculation should be performed as soon as possible.
- If grantees determine that a participant is no longer eligible for the SCSEP due to an increase in family income, the grantee **must** give the participant written notification of termination within 30 days, and the participant **must** be terminated 30 days after the receipt of notice. Grantees **must** refer such individuals to the services provided under the Workforce Center or other appropriate partner programs. The only exception is for participants found ineligible because of providing false information, who **must** be terminated immediately with written notification of the reason. Participants may file a grievance according to the grantee’s procedures [20 CFR 641.510].

Recertification of Participant Eligibility

SCSEP requires that participants be recertified at least every 12 months, to determine eligibility for continued enrollment. Programs are free to recertify on the participants' anniversary dates or to recertify all participants at the same time each year. If a program requires that all participants be recertified at a specific time, it will be necessary to recertify new participants as well. Otherwise, the time between enrollment and the first recertification for those participants would exceed 12 months. The State recommends all participants be recertified for eligibility in February and/or March of each program year to align with publication of the Federal Income Guidelines; however, this is not required. Local areas **must** describe in their policy when they will conduct the annual recertification review of participants.

If a grantee learns of a substantial change in circumstances that is likely to have an effect on eligibility, such as a substantial increase in an existing source of income or the addition of a new source of income, the grantee **must** do a recertification as soon as it becomes aware of this information. The marriage of a SCSEP participant is a substantial change of circumstances that requires a recertification.

Recertification **must** be conducted in person with the participant and data obtained through this in-person interview with the participant **must** be updated in the appropriate SPARQ screens and OSL. Documents used to recertify participants **must** be placed in the participant's file.

Participants who are determined during re-certification to be ineligible for continued SCSEP services, will be given an immediate written notice that enrollment will be terminated 30 days after date of notice. The grantee **must** also notify the host agency of the participant's termination date. When feasible, the participant should be referred to other potential sources of assistance.

Eligibility for participation in the SCSEP **must** be re-determined for those individuals re-enrolling after termination from the program.

Ineligible Applicants

All applicants who are determined to be ineligible for the SCSEP **must** be referred to WIA or other appropriate partner programs. These arrangements should be negotiated in the MOU. SCSEP resources may only be used to provide services to SCSEP eligible individuals. SCSEP ineligible individuals **must** be referred and provided with access to other activities and programs carried out by other workforce partners in the One-Stop delivery system.

Recruitment and Selection of Applicants

Grantees **must** develop and describe in their local policy methods of recruitment and selection that ensure that the maximum number of eligible individuals have an opportunity to participate in the program. In selecting participants from among those individuals who are eligible, special consideration **must** be given, to the extent feasible, to individuals who have incomes below the poverty level, who have poor employment prospects and who have the greatest social and/or economic need, and to individuals who are eligible minorities, limited English speakers, or Indians, as further defined in OAA § 502(b)(1)(M).

Grantees **must** list all community service opportunities with local One-Stop Centers and all appropriate local offices and **must** use the One-Stop Delivery System in the recruitment and selection of eligible individuals to ensure the maximum number of eligible individuals have the opportunity to participate in the SCSEP [OAA § 502(b)(1)(h)]. States may enter into agreements among themselves to permit cross-border enrollment of eligible participants. Such agreements should cover both State and national grantee positions and **must** be submitted to USDOL for approval in the grant application or a modification of the existing grant (20 CFR 641.515).

Documentation of recruitment efforts **must** be maintained for monitoring purposes. The outreach and recruitment methods are quite varied and include but are not limited to:

- Presentations to community and civic groups;
- Public presentations;
- Brochures in supermarkets, libraries, community bulletin boards, doctors offices;
- Newspapers/newsletters;
- Flyers;

- Website postings;
- Recruitment at One-Stop Career Centers;
- Attending community functions;
- Recruitment of veterans through local Veterans of Foreign Wars (VFW) halls, veterans groups and the One-Stop Career Centers;
- Presentations to staff of Area Agencies on Aging and Councils on Aging for those 60 years of age and older;
- Presentations to chambers of commerce; and
- Presentations to vocational rehabilitation schools, local community colleges, and community action agencies.

Priority of Service

In selecting eligible individuals for participation in the SCSEP, priority **must** be given to individuals who have one or more of the following characteristics as listed at OAA § 518(b) and 20 CFR 641.520:

- Are 65 years of age or older;
- Have a disability;
- Have limited English proficiency or low literacy skills;
- Reside in a rural area;
- Are veterans (or, in some cases, spouses of veterans) for the purposes of § 2(a) of the Jobs for Veterans Act, 38 U.S.C. 4215(a);
- Have low employment prospects;
- Have failed to find employment after using services provided through the One-Stop delivery system; or
- Are homeless or at risk for homelessness.

Section 2(a) of the Jobs for Veterans Act creates a priority for service for veterans (and, in some cases, spouses of veterans) who otherwise meet the program eligibility criteria for the SCSEP. Priority is extended to:

- A veteran, or the spouse of a veteran who:
 - Died of a service-connected disability;
 - Is a member of the Armed Forces on active duty and has been listed for a total of more than 90 days as missing in action;
 - Was captured in the line of duty by a hostile force, or forcibly detained by a foreign government or power;
 - Has a total disability resulting from a service-connected disability; or
 - Died while a disability so evaluated was in existence.

Grantees **must** apply these priorities in the following order:

- Persons who qualify as a veteran or a qualified spouse of a veteran under § 2(a) of the Jobs for Veterans Act and who meet at least one of the other priority characteristics;

- Persons who qualify as a veteran or a qualified spouse of a veteran under § 2(a) of the Jobs for Veterans Act and who do not meet any of the other priority characteristics; and
- Persons who do not qualify as a veteran or a qualified spouse of a veteran under § 2(a) of the Jobs for Veterans Act and who possess at least one of the other priority characteristics.

Over-Enrollment and Waiting Lists

Should funding become available, SCSEP staff may over-enroll eligible individuals on a short-term basis. Over-enrollment levels may match the annual service level goal as determined by USDOL. SCSEP participants in the over-enrolled assignments **must** be informed in writing that the assignment is short-term. Temporary participants will:

- Acknowledge their temporary status in writing;
- Be enrolled at the regular rate of pay; and
- Be moved into regular enrollment positions if such positions become available.

When there is over-enrollment for any reason, USDOL recommends a gradual shift that encourages current participants in subsidized community service assignments to move into unsubsidized employment in order to make positions available for eligible individuals in the areas where there has been an increase in the eligible population.

OESC strongly encourages SCSEP staff to maintain a “waiting list” of eligible participants. An individual has the absolute right to apply to the program, and any eligible applicant who is not assigned to a host agency within two weeks of being determined eligible should be placed on a waiting list. An applicant is entitled to remain on the waiting list as long as he/she is still interested in an assignment and meets the eligibility requirements. However, it is not fair to the applicant or helpful to the program to let applicants remain on the waiting list for an excessive period of time. Applicants should be contacted periodically (e.g., every three months) to determine if they are still interested in the program and are still eligible, and provided an update on when enrollment may begin. If there is no reasonable prospect of an opening, the participant might decide to withdraw or explore some other program.

SCSEP staff should enter a case note in SPARQ and the participant’s paper case file explaining the reason for removing an applicant from the waiting list, especially if the administrative reason involves fault on the part of the applicant, such as falsifying the eligibility information. Except in cases of falsification of eligibility information, SCSEP staff should generally provide 30 days written notice prior to removal from the waiting list. No notice is required when the applicant informs the grantee that she/he is no longer interested in the program.

Intake Orientation

When individuals are selected for participation in the SCSEP, the grantee is responsible for providing orientation to the SCSEP. This includes information on project goals and objectives, community service assignments, training opportunities, available supportive services, the availability of a free physical examination, participant rights and responsibilities, permitted and

prohibited political activities, and grievance procedures [20 CFR 641.535(a)(1)]. In addition, participants **must** be informed during the intake process about the 48-month individual durational limit for program participation and the possibility of receiving a waiver to this requirement should they meet certain qualifications [20 CFR 641.570(a)(2)].

A copy of the Senior Community Service Participant Handbook, Form 12-2011/01, **must** be provided to participants at orientation. The final signature page of the handbook **must** be signed by the participant and the SCSEP staff and the original placed in the participant's paper case file for monitoring purposes. A copy of the signature page **must** be returned to the participant.

Assessment and Individual Employment Plan

Upon completing orientation and before assigning the participant to a community service assignment, a complete assessment of the participant's work history, skills and interests, talents, physical capabilities, aptitudes, needs for supportive services, occupational preferences, training needs, potential for performing community service work-training assignments, and potential for transition to unsubsidized employment **must** be completed [20 CFR 641.535(a)(2)(i)]. The initial assessment **must** be performed upon program entry, unless an assessment has already been performed under Title I of WIA as provided in § 641.230. Subsequent assessments may be made as necessary, but **must** be made no less frequently than two times during a twelve month period (including the initial assessment) [20 CFR 641.535(a)(2)(ii)].

Assessment and reassessment are essential for monitoring the progress of the participant. The assessment is used to determine the most suitable host agency site and community service assignment for the participant. It indicates the starting point for the participant's overall development and is the first step in writing the Individual Employment Plan (IEP).

If there are no changes in the participant's circumstances, grantees are free to determine when, within the 12-month period, the two assessments will be conducted and IEP updated. Grantees **must** establish written procedures to ensure the required assessments and updates to the IEP occur.

The IEP is a plan for a participant that is based on an assessment of that participant conducted by the grantee or sub-recipient, or a recent assessment or plan developed by another employment and training program, and a related service strategy. The initial IEP **must** include an appropriate employment goal for each participant. Thereafter, if the grantee determines that the participant is not likely to obtain unsubsidized employment, the IEP **must** reflect other approaches to help the participant achieve self-sufficiency, including transition to other services or programs [OAA § 502(b)(1)(N)]. Additionally, the IEP **must** contain objectives that lead to identified goals, a timeline for the achievement of the objectives; and be jointly agreed upon with the participant.

The IEP is an ongoing strategy jointly developed by the participant and SCSEP staff that identifies the participant's employment goals, the appropriate achievement objectives, and the appropriate combination of services for the participant to achieve the employment goals. Goals set out in the IEP **must** be specific, achievable, measurable, enforceable, and time limited. The IEP will be developed, and amended, in partnership with the participant, and **must**:

- Consider skills, talents, training, work history, and capabilities;
- Identify appropriate training needs;
- Identify needed supportive services;
- Be the basis for host agency work-training assignment;
- Be signed by participant and program staff; and
- Be updated as goals are completed, or at least twice within a twelve month period.

The participant's IEP **must** be updated at the completion of each identified goal to:

- Evaluate the progress of each participant in meeting the objectives of the IEP;
- Determine the participant's potential for transition to unsubsidized employment;
- Determine the appropriateness of the participant's current community service work-training assignment; and
- Review progress toward the participant's employment and training objectives.

At the time of the IEP review, changes **must** be signed by participant and SCSEP staff and placed in the participant's file. Should the participant refuse to complete activities consistent with his/her IEP, the participant may be terminated as described in procedures for exiting the SCSEP program. Reassessments are documented in the participant's IEP and maintained as part of the participant's permanent record. A copy of the IEP will be distributed to the participant and his/her host agency supervisor.

Note: Under § 502(b)(4) of the OAA, the individual assessment or IEP completed by the SCSEP satisfies any condition for an assessment, service strategy, or IEP completed at the One-Stop Career Center and vice-versa. These reciprocal arrangements and the contents of the SCSEP IEP and WIA IEP **must** be negotiated in the MOU.

Participant Wages

Grantees **must** pay wages to participants for time spent in the community service assignment, orientation, and training [OAA § 502(b)(1)(I), 502(b)(1)(J), 502(c)(6)(A)]. Grantees **must** pay participants the highest applicable required wage for time spent in orientation, training, and community service assignments. Grantees may choose to pay SCSEP participants the highest applicable required wage for time spent in WIA intensive services. 20 CFR 641.565 defines the "highest applicable wage" as either the minimum wage applicable under the Fair Labor Standards Act of 1938, the State or Local minimum wage for the most nearly comparable covered employment, or the prevailing rate of pay for persons employed in similar occupations by the same employer. Grantees **must** make any adjustments to minimum wage rates payable to participants as required by Federal, State or Local law during the grant term.

Required Participant Benefits

Participants are not considered Federal employees solely as result of their participation in the SCSEP [OAA § 502(a)]. Grantees **must** determine whether or not a participant qualifies as an employee of the grantee, local project or host agency, under applicable law. Responsibility for

this determination rests with the grantee even when a Federal agency is a grantee or host agency [20 CFR 641.585].

The Senior Community Service Employment Program Participant Handbook, associated procedures, forms, etc. do not constitute a “work” contract or a guarantee to obtain work. However, participants **must** be provided the following benefits while in the program as listed at 20 CFR 641.565(b)(1):

- The opportunity to receive physical examinations annually;
 - Physical examinations are a benefit and not an eligibility criterion. The examining physician **must** provide to the participant only a written report of the results of the examination.
 - Participants may choose not to accept the physical examination. In that case, the grantee **must** document this refusal through a signed statement within 60 workdays after commencement of the community service assignment. Each year thereafter, grantees **must** offer the physical examination and document the offer and any participant’s refusal.
- Worker’s compensation benefits equal to those provided by law for covered employment when participants are not covered by the State’s workers’ compensation law [OAA § 504(b)];
- Unemployment compensation coverage, if required by state law;
- Necessary sick leave that is not part of an accumulated sick leave program, which may be paid or in the form of rescheduled work time within a reasonable time period; and
- Compensation for scheduled work hours during which a host agency’s business is closed for a Federal holiday, which may be paid or in the form of rescheduled work time within a reasonable time period.
 - The following is a list of observed Federal holidays:
 - New Year’s Day;
 - Dr. Martin Luther King, Jr. Day;
 - President’s Day;
 - Memorial Day;
 - Independence Day;
 - Labor Day;
 - Columbus Day;
 - Veteran’s Day;
 - Thanksgiving; and
 - Christmas.

Prohibited Participant Benefits

SCSEP grantees are prohibited from allowing participants to carry over the aforementioned benefits from one Program Year (PY) to the next [20 CFR 641.565(b)(2)(i)]. In addition, grantees **must** not provide the following benefits to participants as listed at 20 CFR 641.565(b)(2):

- Payment or compensation for unused benefits such as sick leave or holiday leave;

- Using SCSEP funds to provide contributions into a retirement system or plan, or to pay the cost of pension benefits;
- Annual leave;
- Accumulated sick leave; and
- Bonuses.

Participant Leave of Absence

Participant leave of absence is not considered as part of the durational limits of program participation when correctly entered into SPARQ and may be accepted for the following reasons:

Category A. *(maximum length of 120 hours in a 12 month period)*

- If participant has been given placement of a child for adoption or foster care;
- If participant must care for an immediate family member (spouse, child, or parent) with a serious health condition; or
- If participant is temporarily unable to work because of a serious health condition.

Category B. *(maximum length of 120 hours in a 12 month period)*

- If participant must handle personal business (non-medical) which makes it difficult for participant to work; or
- If participant must handle family business (non-medical) which makes it difficult for participant to work.

Participants **must** be made aware of the following information and documentation of notification must be placed in the participant's file:

- Leave of absence of any kind shall be UNPAID leave;
- Participant must keep SCSEP case manager informed of status while on leave.

SCSEP grantees **must** develop local policy that dictates when leave of absence should occur as opposed to sick leave. For convenience, the State has included a sample Leave of Absence Request Form (Attachment E) that may be used or modified by SCSEP grantees. The leave of absence outcome **must** be documented by SCSEP case manager and placed in the participant paper case file.

Community Service Assignments

Grantees **must** place participants in appropriate community service assignments in the community in which they reside, or in a nearby community [OAA § 502(b)(1)(B)]. Community service assignments are provided through a host agency. This training offers the participant an opportunity to receive needed skill training. A detailed training plan **must** be developed through the IEP that lists the skills needed and a realistic timeline for learning them.

This type of training at the work place is often more practical than that offered in the classroom. The participant works on real tasks, with actual equipment, dealing with current issues. It may be less time sensitive because the participant can work at his/her own speed to learn a new skill or refresh an old one. Both of these characteristics have been described as helpful for older learners.

Community service assignment should be promoted as the most cost-effective and participant-friendly approach to serving those who are most in need. Grantees should seek to place individuals in community service assignments which are similar to “in demand” private sector jobs. In addition, grantees may wish to consider rotating participants to different host agencies where they may obtain additional skills to prepare them for unsubsidized employment. When a participant masters the skills needed for employment, they are candidates for moving off the SCSEP program into unsubsidized employment.

Additional skill training designed to either allow the participant to more effectively perform the community service assignment or lead to unsubsidized employment is permitted. This training may involve classroom lectures, seminars, individual instruction, training through other employment and training programs and community colleges.

Community Service Assignment Requirements

Grantees should consider the following elements when establishing community service assignment policy and procedures:

- A contract is not required, but there **must** be a host agency agreement. The host agency agreement **must** specify the nature of the community service assignment and the hours the participant will train. A signed copy of host agency agreement **must** be kept in a host agency file;
- The SCSEP participant **must** be assigned to a community service work-training assignment prior to receiving further training services;
- The participant **must** have an IEP that details skills to be attained and timelines for achieving the goals while placed at a host agency;
- Rotation to new host agencies to maximize skills attained;
- A locally developed SCSEP community service assignment form **must** be completed and maintained in the participant’s file;
- Training wages **must** be provided to a participant who is assigned to a host agency site;
- Participants **must** receive the highest applicable required wage for time spent at a host agency site. For more information on the highest applicable required wage, see “Participant Wages,” on page 8 of this OETI;
- All participants **must** sign and submit time sheets on a regular basis to the host agency site supervisor for signature. Supervisors may also request that participant keep a log of specific tasks completed;
- Time sheets **must** indicate the number of hours worked per day for each week. This does not include time taken for lunch;

- Hours for community service assignments may exceed 25 hours per week to allow participant to reschedule work training hours, resulting from Federal holidays or other approved leave adjustments;
- There is no minimum number of hours that can be worked per week, although 20 hours per week is strongly encouraged. Remember, SCSEP is a work-training program;
- Community service work-training is practical, working with real tasks, with actual equipment and dealing with current issues; and
- Work-training assignments **must** be developed with input from both SCSEP staff and the participant.

Host Agency Development

A host agency is either a public agency or a non-profit organization that provides supervision for one or more SCSEP participants during their community service assignment. The host agency **must** provide adequate instruction, supervision, work-training and assistance needed to each participant to enable each participant to perform as an effective and productive worker. The host agency **must** make a commitment to consider hiring the participant when an appropriate vacancy occurs. However, if a host agency has history of not considering SCSEP participants for appropriate employment opportunities, they should not be continued to be used as host agencies. SCSEP is a training program designed to meet the needs of participants not host agencies. Host agencies do not “own slots” nor do they “have positions to be filled” by the program.

Host agencies sites should include, but are not limited to the following:

- Public agencies such as public health departments, school systems, social service departments/agencies (such as councils on aging, domestic abuse shelters, drug abuse treatment centers, and ethnic/cultural centers, museums, etc) courts, police departments, housing authorities, child and youth services, adult services, adult education centers, general hospitals, community mental health centers, mental hospitals, recreation departments, community development/outreach services, employment services, vocational counseling rehabilitation services, local Federal agencies, extension services and local tribal government agencies; and
- Private non-profit organizations such as voluntary hospitals, neighborhood health centers, community and neighborhood centers, health and welfare council agencies, community action agencies and private schools.

Grantees should consider the following tactics in the recruitment of host agencies:

- *Position your product* – Product position is usually based on either the benefits of the product (what will it do for me?) or removal of barriers (how difficult is it for me to do?). By talking with current host agencies, you can learn the benefits they value most and the barriers they foresee.
- *Build partnerships with key allies* – Build connections with key people and organizations that have the potential to bring attention and credibility to your program. Develop beneficial relationships with the reporters covering your issue at key media outlets; pitch stories to them with a fresh news angle, provide them with fact sheets, etc.

- *Develop a pro/con list* – Develop a list of all the benefits to and disadvantages (from the host agency’s perspective) of being a host agency.
- *Design an approach to recruit a new host agency* – This may including the following strategies:
 - Develop a letter;
 - Bullet out talking points for a telephone conversation or meeting;
 - Design a feature article for the community page of the newspaper; or
 - Work in partnership with other service providers.

Grantees should select host agency work-training sites that have the:

- Capability to provide a safe environment with adequate space and equipment for the participant;
- General responsiveness to the goals and objectives of the SCSEP;
- Ability to comply with program requirements;
- Ability to provide work-training that supports the IEP goals and offer opportunities for the participant to enhance skills and be transitioned to unsubsidized employment;
- Capability to provide the participant with work-training that will develop marketable skills in all business sectors with emphasis on demand occupations;
- Capacity to supervise the participant on a day-to-day basis;
- Potential for employing the participant on a permanent basis;
- Ability to ensure the participant is given the same consideration and treatment as other staff members;
- Ability to prepare an appropriate work-based training description and to adjust the description as the participant develops additional skills;
- Ability to approve time for participants and the supervisor to attend SCSEP training meetings; and
- Appropriateness of work-based training for older workers.

SCSEP staff **must** conduct an orientation for host agencies and explain role and responsibilities to the program and the SCSEP participants. At a minimum, orientation **must** include the host agency roles and responsibilities to orient, supervise, train, and instruct the participants assigned to the agency. Host agencies **must** be provided with a copy of the Senior Community Service Participant Handbook. The host agency **must** be informed of the established Equal Opportunity procedures to assure that no person will be discriminated against on the grounds of race, creed, color, handicap, national origin, sex, political affiliation, or beliefs, be excluded from participation, be denied the benefits of, or be subjected to discrimination under any project or activity funded in whole or part with funds made available under the SCSEP program.

The SCSEP grantee **must** maintain a file for each host agency that contains, at a minimum, the following items:

- Current signed and dated Host Agency Agreement (with FEIN);
- Documentation of host agency’s status as a 501(c)(3) organization or public agency;
- Documentation of host agency orientation; and

- Monitoring reports with any necessary follow-up documentation.

The SCSEP grantee **must** retain each host agency file for at least three program years after the end of the agreement.

Host Agency Agreements

Host Agency Agreements **must** contain the commitment of the host agency to:

- Provide support to the participant;
- Provide skill training and supervision in learning/practicing new tasks;
- Allow participant to attend meetings, go on job interviews, etc;
- Consider hiring participant if an appropriate opening occurs;
- Provide a safe working environment;
- Abide by the agreed upon work schedule and hour limits;
- Provide periodic performance reviews;
- Support the participant's IEP goals;
- Honor volunteer service prohibition and non-discrimination assurances;
- Honor maintenance of effort;
- Provide agency orientation to participant;
- Submit properly prepared/signed timesheets;
- Prohibit supplementation of wages;

Host Agency Agreements **must**:

- Be renewed annually;
- Contain the timeframe of the agreement; and
- Be supported by a copy of the 501(c)(3) documentation (for host agencies not a unit of government).

A copy of each Host Agency Agreement and the supporting 501(c)(3) documentation **must** be maintained in a host agency file.

Orientation to Host Agency

An orientation to the host agency where the participant will be assigned **must** be provided before he/she begins the community service assignment. Orientation to the host agency **must** include the following:

- Location of the assignment site;
- Job description;
- Work schedule;
- Community service assignment supervisor's name and contact information;
- Administrative procedures (time sheets, leave requests, grievance procedures, etc.);
- Reassignment/rotation policy; and

- Plans for transitioning to unsubsidized employment as described in the IEP.

Documentation of host agency orientation **must** be placed in participant or host agency file.

Grantee as Host Agency

The grantee can be a host agency. Participants **must** not be placed at the grantee’s agency as a “holding site” until a better host agency site becomes available or while a participant waits for his/her next assignment and continues to be paid. The grantee **must** have an approved community service assignment available that is legitimate and consistent with the participant’s IEP. Furthermore, participants **must** not be assigned as “case manager trainees,” rather more specific training **must** be provided.

- A participant training at a grantee’s office will hold the title of Participant Staff Trainee (PST). It is recommended the grantee train participants in the many facets of the SCSEP and not as a “case manager trainee.” The PST can receive training in areas such as job recruiter, program recruiter, file clerk, data entry clerk, follow-up clerk, etc. These areas will assist the grantee in giving attention to the many details the program requires.
- A PST can be paid the prevailing wage for the area and the job title. The PST training may exceed to 25 hours per week to allow participant to reschedule work training hours, resulting from Federal Holidays or other approved leave adjustments. The grantee will be responsible for documenting the prevailing wage for the area and job title.
- The number of participant staff trainees cannot exceed 10 percent of the grantee’s authorized slot levels.
- A participant staff trainee **must**:
 - Be adequately supervised and motivated to seek unsubsidized employment; and
 - Relate well with and maintain confidentiality of co-workers, participants and potential employers.
- A supervisor of a participant staff trainee **must**:
 - Identify what the participant does on a daily, weekly, or monthly basis;
 - Ensure the participant is making satisfactory progress. If not, a rotation of placement should be considered;
 - Determine if benchmarks are being achieved; and
 - Inform participant of the measures that will be used to evaluate his/her performance.
- In developing the participant staff trainee’s IEP, grantees **must**:
 - Determine the staff position;
 - Consider O*Net as a resource for identifying tasks, skill sets, and training needs;
 - Address all skill needs in a logical order;
 - Develop benchmarks and measures for evaluation; and
 - Clearly delineate the duties of the participant.

Host Agency Rotation

Grantees are responsible for assessing the participant’s IEP, and the participant may be required to transfer to another host agency due to any one or combination of factors, which include, but are not limited to:

- Fulfillment of IEP goals, the establishment of new goals or modification of existing goals;
- Change in the non-profit status of the host agency;
- General performance of the participant and/or problems with the host agency site; or
- Re-evaluation of the participant skills and aptitudes that necessitates a change in the host agency site.

The participant should fully participate in the IEP changes and be fully aware of the impact to the community service assignment. Notification of pending changes will be provided to both the host agency and the participant 30-days in advance whenever possible. Changes in program funding or the status of a host agency site may require immediate reassignment.

The grantee's local rotation policy should require justification for host agency rotation to be reflected in the participant's IEP. The goal of host agency rotation is to allow the participant to acquire more job skills, increasing their opportunities to find unsubsidized employment. However, the State agrees that rotation of participants among host agencies may be disruptive and counter-productive if the participant is still effectively acquiring needed skills at his/her current assignment. The rotation should be in the best interest of the participant and will further the acquisition of skills listed in the participant IEP.

Host agency rotation should be based on the following premises:

- It is done in a manner that encourages host agencies to hire participants;
- It motivates participants who become too comfortable in a position and neglect their job search responsibilities;
- It expands training and hiring opportunities by moving a participant to another site;
- It should be considered if a participant has completed their assignment and is not being considered for hiring;
- It allows greater access to a wider variety of job skills training through the use of new assignments; and
- It will result in more unsubsidized placements.

Many grantees have found that setting durational limits on community service employment assignments at a host agency is beneficial to participants. However, any policy **must** allow for limited exceptions and enforcement of any such limits is essential.

Host Agency Monitoring

Per the Governor's Oversight and Monitoring Plan as issued by OESC, the Governor of Oklahoma is responsible for the development of the State monitoring system. As a component of that system, the Governor has assigned OESC oversight and monitoring responsibilities for workforce-related grants, programs and activities established and funded by the U.S. Department of Labor and administered by the State, including the Senior Community Service Employment Program as authorized under the 2006 Older Americans Act Amendments.

The SCSEP grantee **must** establish policy describing the process and procedures used in monitoring host agencies. Host agency monitoring **must** be conducted under a monitoring schedule established by the grantee. The State requires that host agencies be monitored at least once annually to ensure that:

- The host agency is adhering to the signed Host Agency Agreement;
- There are no safety issues;
- The participant and supervisor are following the training plan and scheduled hours;
- There is program satisfaction on behalf of both the participant and host agency; and
- There is an open dialogue to resolve issues that might arise.

Additional monitoring visits may be scheduled as needed. Reasons for additional monitoring may include but is not limited to:

- Information concerning possible abuse;
- Poor participant development;
- Change in host agency supervisor;
- Delinquent or inaccurate submittal of time sheets and responses to other requirements (such as in-kind reports, performance evaluations, etc.); or
- Serious budget reductions, RIFs, or other maintenance of effort concerns.

The Host Agency Agreement and the participant IEP should be the basis of the monitoring visit. The grantee **must** address the following items at a minimum during the monitoring visit:

- Host Agency Agreement
 - There is a current signed and dated Host Agency Agreement in place;
 - Orientation has been provided to both the host agency and participant prior to placement in the community service assignment;
 - The host agency is adhering to maintenance of effort requirements; and
 - The host agency is adhering to non-discrimination and equal opportunity requirements.
- Training
 - Participant training duties are in compliance with the community service assignment description and are appropriate based on the participant IEP;
 - Participant knows what his/her training assignment duties are;
 - The participant is making progress toward the goals listed in the IEP;
 - Determine whether there is the possibility of additional training at the host agency beyond the goals listed in the participant IEP;
 - The host agency provides day-to-day supervision;
 - The participant is neither volunteering at the host agency nor exceeding his/her training hours as described in the community service assignment;
 - Is there a possibility the participant will receive unsubsidized employment offer at the host agency; and
 - Determine whether the supervisor and participant are satisfied.
- Safety

- The host agency provides a safe working environment (check for slip, trip and fall hazards, chemicals, lifting or pulling requirements, machinery hazards, fire hazards, etc.);
- Both the host agency supervisor and participant know what to do in the event of an accident; and
- The host agency provides the proper equipment and necessary space for the participant to safely perform his/her duties.

The State has developed a sample SCSEP Host Agency Monitoring Guide (Attachment F) addressing all required monitoring items that grantees may use when monitoring or in developing their own form.

Maintenance of Effort

A community service assignment for a participant under Title V of the OAA is permissible only when the maintenance of effort requirements are met. Maintenance of effort (MOE) refers to the substitution of participants for permanent agency employees. According to OAA § 502(b)(1)(G), each project funded under Title V **must** not:

- Reduce the number of employment opportunities or vacancies that would otherwise be available to individuals not participating in the program;
- Displace currently employed workers (including partial displacement, such as a reduction in the hours of non-overtime work, wages or employment benefits);
- Impair existing contracts or result in the substitution of Federal funds for other funds in connection with work that would otherwise be performed; and
- Employ or continue to employ any eligible individual to perform the same work as that performed by any other individual who is on layoff.

Host agencies that violate MOE are at risk of having their host agency status terminated with the SCSEP. It is against OESC policy to assign a SCSEP participant to train in the same area/department where the agency/organization has had to lay off a staff person within the last two years from the date of interest in SCSEP. Participants may be assigned to other departments but not to the department where the layoff took place. Violation of this policy will affect future participation in the SCSEP.

Training Services

Participants who have been given a community assignment may be provided training opportunities, which are consistent with the participant's IEP. This section does not apply to training provided as a part of a community service assignment. Grantees may arrange skill training provided that it adheres to the following conditions as listed at 20 CFR 641.540:

- Is realistic and consistent with the participant's IEP;
- Makes the most effective use of the participant's skills and talents; and
- Prepares the participant for unsubsidized employment.

Training may be provided before or during a community service assignment. Training services may be in the form of:

- Lectures;
- Seminars;
- Classroom instruction;
- On-the-job experience (OJE);
- Skills training;
- Classroom training;
- Individual instruction;
- Job search workshops; and
- Training through other employment and training programs and/or colleges.

Training may be provided by the grantee or through other arrangements, including but not limited to, arrangements with other workforce development programs such as WIA. Grantees are encouraged to obtain training through locally available resources, including host agencies, at no cost or reduced cost to the program. Grantees may pay reasonable costs for instructors, classroom rental, training supplies and materials, equipment, tuition, and other costs of training. Participants must be paid wages while in training [OAA § 502(b)(1)(I)]. Grantees may pay for costs associated with supportive services, such as transportation, necessary to participate in training [OAA § 502(b)(1)(L)].

Job Search

Grantees **must** not use SCSEP funds for individuals who only need job search assistance or job referral services. However, grantees may provide job search assistance and job club activities to participants who are enrolled in the SCSEP and are assigned to a community service work training assignment.

- A participant may be assigned to complete a certain number of employer contacts each pay period requiring the completion of a job search log.
- A participant may be assigned to a “16/4 split,” where the participant will be at the host agency site for 16 hours a week and have 4 hours a week of paid job search activity. Payment for time spent conducting job search activities requires the completion of a separate time sheet for job search hours and a job search log.

Note: Signed documentation verifying attendance at job search workshops or while job searching **must** be placed in the participant’s file. The grantee will instruct the participant in allowable job search activities that meet the guidelines for payment.

Regulations require that participants **must** be paid the minimum wage for orientation, training, and community service assignments. Job search activity alone, however, is not considered training. Grantees may pay participants for engaging in job search activity but are not required to do so unless the job search activity is provided in conjunction with required training. If the grantee does pay wages for job search activities, hours spent on job search **must** be recorded in

SPARQ so that they can be deducted from total paid hours to derive the hours of community service.

On-the-Job Experience (OJE)

Participation in an appropriate community service assignment provides the opportunity to develop and practice the skills and/or experience the participant must attain in order to secure unsubsidized employment. In some instances, however, a participant's IEP may show a goal of obtaining an unsubsidized job with a public or private employer that requires specific skills that are not attainable through the regular community service assignment. In these instances, if the participant has completed at least 2 weeks at a community service work-training assignment, the grantee may elect to provide the participant with an "on-the-job experience" (OJE). The employer may be reimbursed up to 50 percent of the participant's wages earned while the participant is in training. Grantees placing participants in this type of training **must** follow the policy and procedures outlined in OETI #01-2010 *On-the-Job Experience (OJE) for SCESP Title V Participants*.

Supportive Services

Grantees are required to assess all participants' need for supportive services and to make every effort to assist participants in obtaining needed supportive services (29 CFR 641.545). Supportive services assist participants in community service work-training while they gain skills for future unsubsidized employment. Grantees may provide assistance and/or make arrangements for needed supportive services identified in the IEP. Supportive services may be provided while participants are placed at a host agency and in the first six months of unsubsidized employment. Grantees **must** establish a supportive services policy that describes services the participant may receive and under what circumstance. Participants may receive but are not limited to the following services as listed at OAA §§ 502(c)(6)(A)(iv), 518(a)(7), which **must** be outlined in the grantee's supportive services policy:

- The payment of reasonable costs of transportation;
- Health and medical services;
- Special job-related or personal counseling;
- Incidentals (such as work shoes, badges, uniforms, eyeglasses, and tools);
- Child and adult care;
- Temporary shelter; and
- Follow-up services.

Decisions to pay for such services should be made locally and on a case-by-case basis, depending on the needs of the participant. To the extent feasible, grantees should provide for the payment of these expenses from other resources. Grantees are encouraged to contact placed participants for the first 12 months following placement to determine if they have the necessary supportive services to remain in the job and to provide such services if feasible [20 CFR 641.545(c)].

Unsubsidized Employment

SCSEP participants are required to seek unsubsidized employment as a condition of participation in the program. The IEP specifies the agreed upon steps to be taken in pursuit of unsubsidized employment. Failure to meet the obligation to seek and find employment will result in termination for cause from the program. Efforts to place the participant into unsubsidized placement should begin once the participant and the case manager have determined job readiness. The term “job ready” refers to individuals who do not require further education or training to perform work that is available in their labor market (20 CFR 641.140). Job referrals and placements in unsubsidized employment **must** be documented in the SPARQ system.

Unsubsidized employment placement efforts undertaken by the grantee on behalf of the participant may include but are not limited to:

- Coordination with the One-Stop System to place the participant on an active job registry;
- Identifying suitable, unsubsidized employment opportunities;
- Identifying of other forms of job-related assistance;
- Encouraging host agencies to hire qualified participants;
- Providing host agency rotation as applicable to meeting the goals of the IEP;
- Providing guidance to and assisting participants in contacting public and private employer in order to identify suitable employment opportunities and arrange for interviews; and,
- Providing counseling on participant’s progress identified in his/her IEP and in meeting his/her supportive service needs.

Because the program goal is to foster economic self-sufficiency, grantees **must** make reasonable efforts to place as many participants as possible into unsubsidized employment, in accordance with each participant’s Individual Employment Plan (IEP). For those participants whose IEPs include a goal of unsubsidized employment, grantees are responsible for working with the participants to ensure that the participants are receiving services and taking actions designed around achieving this goal. Grantees **must** contact private and public employers directly or through the Workforce Center to develop or identify suitable unsubsidized employment opportunities. They **must** also encourage host agencies to assist participants in their transition to unsubsidized employment, including unsubsidized employment with the host agency (20 CFR 641.550).

Average Project Duration

Grantees **must** manage their projects so as to maintain an average project duration of 27 months or fewer [OAA § 502(b)(1)(C)]. This is the average length of participation for all participants a grantee serves, not a limit for individuals. A project can still meet this requirement even if many of the individuals it serves are enrolled for longer than 27 months.

- The average project duration is the sum of the number of months of enrollment of all of a project’s participants, divided by the number of participants.
- This durational limit applies to each individual grantee and the State as a whole.

- The clock for this measurement started on July 1, 2007. Participant's prior time in the project does not count. All participants who are currently active or who have been active in the preceding nine quarters are counted.

Individual Durational Limits

Individual participants are eligible to receive SCSEP services for a maximum lifetime duration of 48 months, unless granted a one-year extension from USDOL based on waiver eligibility (20 CFR 641.570). Grantees **must** terminate any participant who reaches the 48 month durational limit, if no waivers have been approved by USDOL. The individual durational limit of 48 months does not automatically entitle participants to remain in the SCSEP the entire 48 months. Eligibility and other programmatic considerations, such as the participant's IEP, **must** be taken into account.

- The clock for this measurement started on July 1, 2007, for all participants. Participants' prior time in the program does not count toward the limit. This limit applies to any and all enrollments in SCSEP, whether consecutive or not and with any grantee.
- Participation in both the regular and Recovery Act (ARRA) funded programs counts towards the individual durational limit.
- The earliest date at which a participant can reach the 48-month limit is July 1, 2011.

Grantees may limit the time of participation for individuals to less than 48 months if the grantee uniformly applies the lower participation limit and if the grantee submits a description of the lower participation limit policy in its grant application or modification of the grant and USDOL approves the policy [20 CFR 641.570(f)]. Approved leaves of absence do not count toward the aggregate limits for either the average project durational limit or the individual durational limit.

Transition planning **must** occur for all participants approaching their individual durational limit. These participants **must** receive a Transitional Service IEP at twelve months and six months prior to their anticipated exit date. Twelve months prior to their anticipated exit date, participants **must** receive a Transitional Service IEP that addresses the following items:

- Likelihood that participant will obtain unsubsidized employment;
- New or immediate job goal based on chances for unsubsidized employment;
- Skills needed to attain new job goal;
- Resume development;
- Job search assistance; and
- Set goal for number of employer contacts/applications made each week.

Six months prior to their anticipated exit date, participants **must** receive a Transitional Service IEP that addresses the following items:

- Waiver eligibility for participant;
- Likelihood that participant will obtain unsubsidized employment after exiting the program;
- Continuation of job development efforts;

- Development of personal budget not dependent on SCSEP wages;
- Referrals to other social supportive services/programs;
- Referrals to other stipend volunteer programs and volunteer opportunities;
- Personal support network; and
- Plan to provide 30 day written notice of termination from the program.

Waiver of 48 Month Durational Limit

For participants of the SCSEP meeting one of the following two (2) characteristics, OESC will seek USDOL approval for additional training time beyond the 48 month durational limit if needed:

- Meets Social Security age requirements but does not receive Social Security benefits; or
- Lives in an area of persistent unemployment and has severely limited employment prospects.

This waiver will allow the participant a one year extension, at the end of which the participant will be reevaluated for continuation in the program if the above characteristics still apply. If the participant is not given a waiver, at the end of the 48 month durational limit the participant will not be able to continue in the SCSEP. Grantees **must** use Form 12-2011/02, Waiver Request of 48 Month Durational Limit, in order for OESC to request a waiver for the participant from USDOL.

SCSEP grantees **must** submit waiver requests to OESC for all individuals meeting the allowable characteristics mentioned above. In requesting extension waivers of the 48 month durational limit, the grantee **must** follow the following procedures:

- The grantee and participant will determine eligibility for a waiver request as part of the Transitional Service IEP for SCSEP participants occurring six months prior to the anticipated exit date.
- A letter **must** be sent to all SCSEP participants explaining the 48 month durational limit and transitional services offered by SCSEP. If applicable, participants **must** also receive information regarding the waiver process, a 12 month waiver plan documenting what will be accomplished in the extension period if granted, and reevaluation of the waiver at the end of the extension period for continued participation in the program.
- The Waiver Request of 48 Month Durational Limit Form (12-2011/02) **must** be completed by local SCSEP staff and sent to the State no less than sixty (60) days prior to the end of the 48 month durational limit period.
- The waiver request **must** be signed by the participant and the local SCSEP staff.
- A copy of the request **must** be placed in participant's paper case file.
- Supporting documentation **must** be submitted with the waiver request.
- The State will review the request and render a decision within thirty (30) calendar days of receipt of the request.
- If approved by the State, the request will be sent to DOL for a final approval.

- One-hundred eighty (180) days before the end of the one-year extension, the participant waiver request will be reevaluated for continuation in the program to see if the eligibility characteristics still apply. At this point, it will be determined whether the participant will be allowed to apply for another waiver extension or will begin the process of transitioning out of the program.

SCSEP Exit Procedures

Participants may be exited from the SCSEP for the following reasons:

- Voluntary termination;
- Placement in unsubsidized employment;
- Participant was incorrectly declared eligible;
- Changes in family income which affect eligibility;
- Reaching the 48-month program durational limit; and
- Termination for cause, which may include, but is not limited to participant's:
 - Lack of cooperation;
 - Refusal to cooperate in recertifying eligibility;
 - Inability and/or unwillingness to perform assigned duties;
 - Unreasonable refusal to accept job offers or job referrals;*
 - Refusal to accept a different community service assignment;
 - Failure and/or refusal to cooperate with the IEP;
 - Frequent tardiness;
 - Falsification by the participant of time sheets or other official records;
 - Insubordination;
 - Obscene/abusive language or behavior;
 - Non-compliance with the Leave of Absence policy limits;
 - Non-compliance with substance abuse policy;
 - Failure to cooperate with grantee and/or host agency staff; and/or
 - Failure to maintain Standards of Conduct.

*Unreasonable refusal is defined as the refusal of three job offers or job referrals.

Grantees **must** provide each participant at the time of enrollment with a written copy of its policies for terminating a participant for cause or otherwise, and **must** verbally review those procedures with the participant [20 CFR 641.580(g)]. Participant terminations **must** be documented to the fullest extent possible in the participant case notes. All participants **must** be provided 30 days written notice of termination, and a copy of the program grievance procedures **must** be provided to the participant [20 CFR 641.580(h)]. When feasible, participants terminated from the SCSEP should be referred to other potential sources for assistance.

If, at any time, a grantee determines that a participant was incorrectly declared eligible as a result of false information knowingly provided by that individual, the grantee **must** immediately remove the participant from the host agency and provide the participant with a 30 day written notice explaining the reason(s) for termination [20 CFR 641.580(a)].

Follow-Up Services

To ensure continued successful employment, SCSEP staff shall provide follow-up services to a participant placed in unsubsidized employment during the first 180 days of placement to ensure that the participant receives the supportive services needed to remain in the job and to determine whether the participant is still employed. Also, grantees **must** contact participants 6 months after placement to determine if they have been retained by the employer [OAA § 513(c)(2)(B)]. Follow-up **must** include but not be limited to:

- Determining if the job placement is an appropriate match for the participant and the employer and how satisfactory the job placement is to the participant and the employer;
- Identifying potential SCSEP services required by the participant and/or the employer as needed for continued participation in unsubsidized employment; and
- Maintaining contact with the participant within the first 180 days of placement. Follow-up activities are specifically authorized in the regulations for 180 days after exit in order to help a participant in unsubsidized employment achieve retention. Should a problem be identified with the job placement, SCSEP staff will work with the participant and the employer to resolve the problem. Each follow-up contact shall be documented on the Unsubsidized Employment Form based on system calculated dates in SPARQ.

Note: If, during the follow-up process, it is determined a former participant has become unemployed, the participant may be considered for re-enrollment.

Right of Return and Reenrollment

Right of return is limited to participants who exit for unsubsidized employment but do not achieve 30 days of employment within 90 days of exit [USDOL SCSEP Data Collection Handbook Rev. 6 (04-19-2010)]. Their exit is reversed.

- Individuals who meet the right of return criteria are allowed to return to the SCSEP without being subject to priority of service.
- Right of return participants shall be assigned to the next appropriate and available host agency assignment and a locally developed Community Service Assignment form shall be completed.
- If there is not an appropriate assignment available the participant may be placed on an approved wait list until an appropriate assignment is available.

The right of return is limited to participants who exit to enter unsubsidized employment, work for a total of less than 30 days, and return to the program within 90 days of exit. Those who do not meet all three criteria for the right of return may seek to re-enroll. Either option may be available depending upon how long the participant worked, when the participant attempts to re-enter the program, why the participant is now unemployed, and whether the participant is job-ready.

Oklahoma Job Link and SPARQ

USDOL has made mandatory the use of the SPARQ system. Data obtained from the SPARQ system will be used to track SCSEP program performance; therefore grantees **must** ensure that all participant and program information is entered in SPARQ and updated on a regular basis. Although dual entry of SCSEP program information into Oklahoma Service Link is no longer required, all SCSEP participants **must** be registered in Oklahoma Job Link to assist them with job search activities.

SPARQ will also be utilized to track the average durational limit for the grantee and individual durational limits, which will be reflected in the QPR and management reports. If properly entered into SPARQ, approved leaves of absence do not count toward the aggregate limits for both the project and the individual.

Case File Documentation

Participant files **must** be maintained in accordance with the requirements for confidentiality outlined in the Older Americans Act. The following documentation and information **must** be maintained in the participant's case file by SCSEP staff:

- Enrollment and eligibility documentation (i.e., residence, family size, date of birth, income and employment status);
- I-9 employment eligibility verification;
- SCSEP Participant Handbook Acknowledgement Form;
- Physical Examination Waiver (if waived);
- Initial assessment and any subsequent assessments;
- Proof of veteran status (or qualified spouses of veterans);
- Signed Individual Employment Plans (IEPs);
- Community service work-training assignment documentation (work schedules and time sheets);
- Participant recertification information;
- Unsubsidized employment information (if applicable);
- Orientation to grievance procedures;
- Documentation of notice of termination (if applicable);
- Supportive services information;
- Physical examination results (if participant allows access) must be kept in a separate, locked file pursuant to HIPPA Laws;
- Exit form/data validation documentation; and
- Case notes documenting supportive services, referrals, counseling reports, job development efforts made and the results of those efforts, follow-up to unsubsidized placements, and other participant related activities.

The Health Insurance Portability and Accountability Act of 1996 (HIPPA)

Participant's health information is protected by Federal law. Grantees **must** have procedures in place to limit who can view and access participant health information as well as to implement training programs for employees regarding how to protect participant health information.

Record Retention

According to the grants office of USDOL, all required documentation, both fiscal and programmatic, **must** be retained for three (3) program years after the end of the program year in which the document was generated. For participants who enter unsubsidized employment after exiting the program, this means three program years after the end of the program year in which all follow-up activity is ended.

If documentation is missing, reasonable steps **must** be taken to recreate the missing documents in order to avoid audit/monitoring problems. If documents are created, a note **must** be placed in case notes.

Program Reporting

The grantee will ensure data is collected for SPARQ system only for its respective service area. All data **must** be accurately entered in the SPARQ system to ensure timely calculation and production of the QPR. Grantees are no longer required to dual enter SCSEP program information into Oklahoma Service Link.

Grievance Procedures

20 CFR 641.910 requires each SCSEP grantee to establish and describe in the grant agreement procedures for resolving grievances and complaints arising between the grantee, employees of the grantee, and applicants or participants. Because Oklahoma SCSEP grantees are Local Workforce Investment Boards, they are required to follow the grievance procedures in accordance with OETI 01-2011 and 20 CFR 667.600.

- Each SCSEP grantee **must**:
 - Provide notice of grievance procedures to participants during intake orientation and to other interested parties;
 - Provide information about the content of the grievance and complaint procedures to participants and other interested parties affected by the local Workforce Investment System, including One Stop partners and service providers;
 - Make reasonable efforts to assure that the grievance information referred to in this OETI is written and understood by affected participants and other individuals, including, but not limited to, youth, persons with disabilities, and those who are limited-English speaking individuals. Such efforts **must** comply with the language requirements of 29 CFR 37.35 regarding the provision of services and information in languages other than English.

- The grievance policy and procedures of each SCSEP grantee **must** provide the following:
 - A process for dealing with grievances and complaints from participants and other interested parties affected by the local Workforce Investment System, including One-Stop Partners and service providers;
 - An established time limit for filing grievance;
 - An opportunity for an informal resolution and a hearing to be completed within 60

- days of the filing of the grievance or complaint;
 - A process which allows an individual alleging a labor standards violation to submit the grievance to a binding arbitration procedure, if a collective bargaining agreement covering the parties to the grievance so provides;
 - A written response to the grievant, notifying him/her of the determination, as well as information on filing an appeal with the State.
 - An opportunity for a local level appeal to a State entity when:
 - No decision is reached within 60 days; or
 - Either party is dissatisfied with the local hearing decision.
 - If an individual elects to file his or her grievance with OESC, the grievance **must** be filed within 20 days from the date of the violation(s) which is the basis of the grievance.
- Each grievance shall be in writing and **must**:
 - Be signed by the grievant or his/her authorized representative;
 - Contain the grievant's name and address (or specify another means of contacting him or her);
 - Identify the individual against whom the grievance is filed, if applicable;
 - List the date(s) on which the acts which are the basis of the grievance occurred, or if continuing, when such acts began and describe the continuing nature;
 - List the names and addresses of persons who may have knowledge of the facts of the grievance;
 - Describe the grievant's allegations in sufficient detail to allow the Director of Workforce Services to determine whether:
 - The Director of Workforce Services has jurisdiction over the grievance;
 - The grievance was timely filed; and
 - The grievance has apparent merit, i.e., whether the allegations if true, would violate Title V of the Older Americans Act of 2006.
- The Director of Workforce Services may refer a grievance, originally filed with the OESC, to the SCSEP grantee if there is likelihood that it could be resolved at that level. If the referred grievance is not resolved within ten (10) days from the date of receipt by the SCSEP grantee, the Director of Workforce Services will attempt to resolve the issue informally.
- A participant or affected party may file a grievance with the SCSEP grantee or appeal the decision of a SCSEP grantee. Appeals will be resolved according to the procedures established pursuant to 20 CFR 667.600(c).
 - An appeal may be filed with the Director of Workforce Services from a grievance decision issued at the grantee level if:
 - No decision is reached within 60 days from the date the grievance is received at the grantee level; or
 - Either party is dissatisfied with the local area hearing decision.
 - If the grantee does not render a decision within sixty (60) days from the date of receipt of the grievance, an appeal **must** be filed with the Director of Workforce Services within thirty (30) days from the expiration of the sixty (60) day time period.

- If the grantee renders a decision that a party is dissatisfied with, the appeal **must** be filed with the Director of Workforce Services within thirty (30) days of the date the grantee mails the decision to the party by certified mail.
- The Director of Workforce Services or his/her designee will attempt to resolve any grievance or appeal informally by meeting with the parties in person or discussing the grievance with the parties by telephone. If the grievance is not resolved informally within fifteen (15) days from the receipt of the grievance or appeal, the Director of Workforce Services will forward the grievance or appeal to the Assessment Board.
 - The Assessment Board will conduct the hearing pursuant to its rules at 240:10-11-20 through 240:10-11-31. The hearing process will be completed within sixty (60) days from the date the grievance was received by the Director of Workforce Services.
- An appeal or allegation of violation may be made to the U.S. Secretary of Labor (Secretary) or investigated by the Secretary and a final determination rendered no later than 120 days after receiving such appeal if:
 - A decision relating to such violation has not been reached within sixty (60) days after the date of filing of the grievance and either party appeals to the Secretary; or
 - A decision relating to such violation has been reached within sixty (60) days and the party to which such decision is adverse appeals such decision to the Secretary.

**SENIOR COMMUNITY SERVICE
EMPLOYMENT PROGRAM**

PARTICIPANT HANDBOOK

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Welcome to the Senior Community Service Employment Program (SCSEP). You are now a participant in the only National work-training and employment program exclusively for persons age 55 and older. We are happy that you are a participant in this work-training program.

WHAT IS SCSEP?

The SCSEP is a work-training program which encourages and lengthens self-sufficiency by supplementing income while providing work-training and increased marketability. SCSEP fosters useful part-time work-training opportunities in community service for unemployed low income persons who are 55 years of age or older and have poor employment prospects to sharpen employment skills. The program also fosters individual economic self-sufficiency by assisting participants in transitioning to unsubsidized employment. Community service activities are provided through community service work-training assignments at host agencies, which must be a governmental or non-profit, nonpartisan organization.

PARTICIPANT GOALS

Your goals in entering this program should include:

- Upgrading job skills and work experience by attending training sessions and through a “work-training” experience providing community service;
- Seeking improved employment opportunities beyond this program;
- Improving your living situation through paid training while connecting with your community and preparing for unsubsidized employment;
- Pursuing the work and community related goals you have;
- Pursuing additional skill improvement through this program and developing a comprehensive plan to assist you; this plan is called an “Individual Employment Plan” (IEP), and we help you create it; and
- Finding unsubsidized employment.

PROGRAM GOALS

The overall goal of this program is to help you build skills that improve your ability to find and maintain unsubsidized employment. This goal is achieved by providing a combination of useful part-time community service assignments and traditional training, while promoting transition to unsubsidized employment.

To this end, the Senior Community Service Employment Program’s goal is to:

- Help the participant receive training in a demand-occupation by successfully participating in community service work-training assignments;
- Assist participants in developing marketable skills so they may secure unsubsidized employment in today’s market and remain self-sufficient for a longer, more vital life-span; and
- Provide community service activities to communities.

Additionally, other resources are often available that will improve your ability to contribute to your community or to a private organization and ultimately find work. Participants may find that with these improved skills and experience, they obtain better employment. We are excited about your participation and can offer suggestions, support, and services—including resume-writing, interviewing skill development, job search workshops, etc.—to help you meet your employment goals.

SCSEP—HISTORY AND TODAY

History

During the 1960s, President Lyndon Baines Johnson announced his “War on Poverty” campaign. The Senior Community Service Employment Program (SCSEP), Title V of the Older Americans Act, was a product of that campaign. The program, which has been continuously funded since its inception, is in response to the unfortunate reality that many older people seek work with outdated skills and that economic changes often result in older persons losing work or being forced into retirement before they are financially ready. Additionally, many older workers especially women, may find themselves seeking work for the first time (or returning after many years of homemaking) because of family changes and in need of gaining updated skills.

Today

SCSEP has been updated to take into account changes in the modern economy and to provide greater focus on the work-training aspects afforded to SCSEP participants. Private companies ensure success by updating their policies and procedures to take advantage of more efficient methods and to keep pace with the changing social and economic environment. Similarly, SCSEP makes use of over 40 years of history while taking advantage of new knowledge and constraints in the modern employment market.

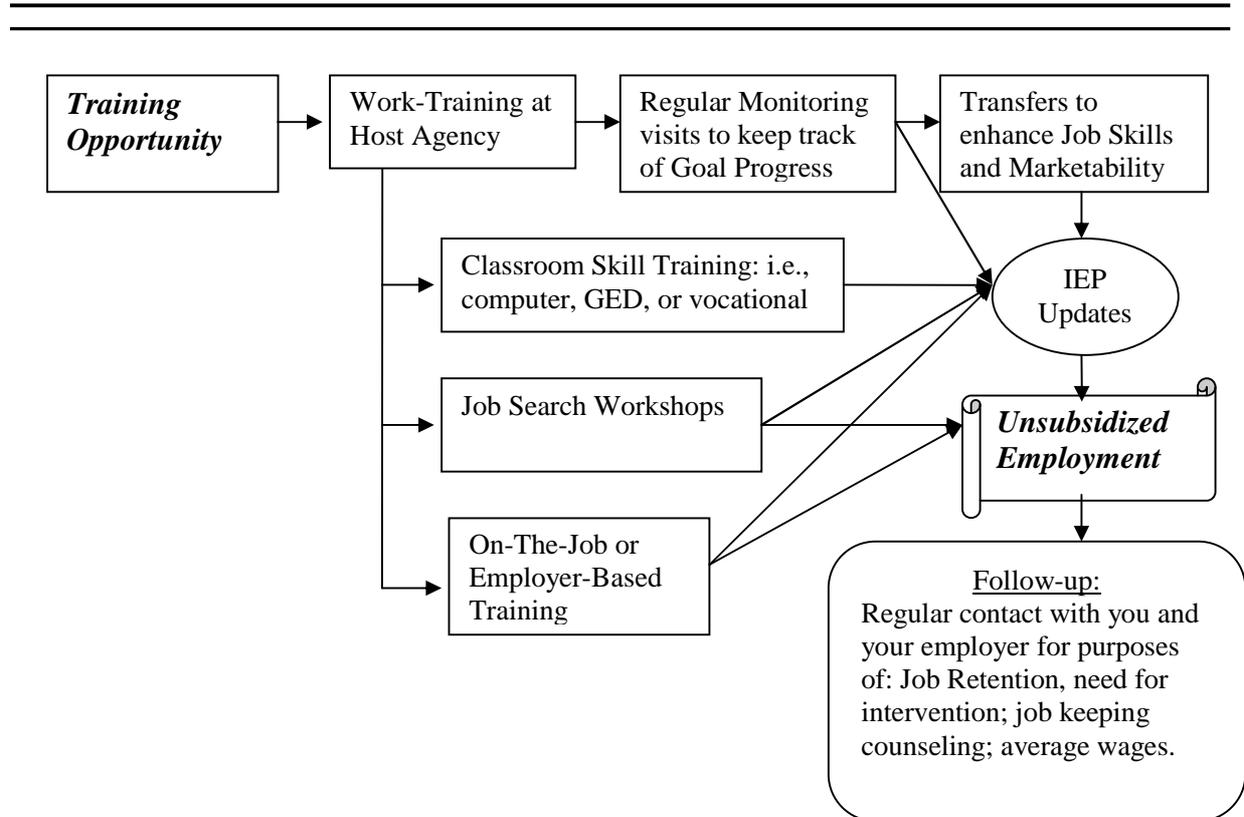
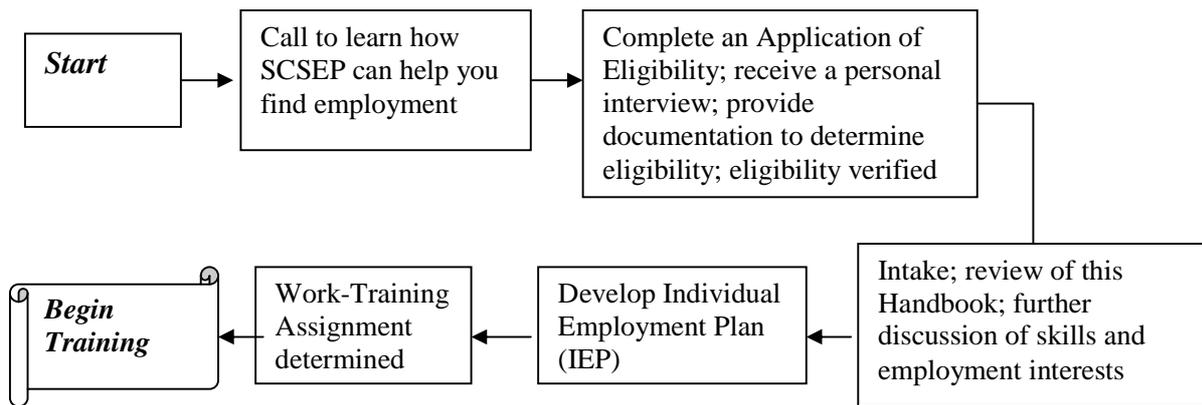
Experience has shown that mature persons can modernize and improve their skill levels in a wide range of activities. Additionally, by working closely with SCSEP participants to create a plan that aligns work-training with traditional learning and other support services, SCSEP participants can focus their efforts more effectively. The ultimate result is that SCSEP participants can develop skills and behaviors that result in greater employability, facilitating their transition into unsubsidized employment.

Recently, changes have been implemented to make use of additional programs and services to provide SCSEP participants with more complete work-training and support. As they go through the initial assessments and develop Individual Employment Plans (IEPs), SCSEP participants will help to identify barriers they face, and then work with their case managers and use the IEP to design specific plans to overcome those barriers whenever possible. These additional services are designed to enhance not only job obtainment, but also retention. “Retention” means keeping the unsubsidized job. Your case manager will do periodic follow-ups over a 15-month period to determine that employment has continued and to collect wage information for average wage measurement. Participants are asked to save pay stubs and notify the SCSEP staff of any changes in address and/or phone numbers, in addition to keeping the case manager current on the status

of the job during this follow-up period. This will greatly assist us in collecting this important follow-up information to complete the participants' files after they have secured employment.

SCSEP PROCESS

As a SCSEP participant, it is very important that you have a good understanding of the process you are undertaking. These representations present a simple visualization of the process from your point of view.



PRIVACY ACT STATEMENT

The Senior Community Service Employment Program (SCSEP) is strongly committed to maintaining the privacy of your personal information and the security of our computer systems. With respect to the collection, use and disclosure of personal information, SCSEP staff makes every effort to ensure compliance with applicable Federal law, including, but not limited to, the Privacy Act of 1974, the Paperwork Reduction Act of 1995, and the Freedom of Information Act.

SERVICES

Intake and Eligibility Process

The intake and eligibility process introduces all applicants to the Program. This process explains:

- Goals and objectives of the SCSEP;
- Community Service Assignments;
- Availability of a free physical examination;
- Training opportunities;
- Supportive services;
- Participant's rights and responsibilities;
- Assessment;
- Individual Employment Plan (IEP);
- Permitted and prohibited political activities;
- Reasons for termination from the program; and
- Grievance procedures.

Overviews of the following topics are also included:

- The Americans With Disabilities Act (ADA);
- The Drug-Free Workplace Act; and
- The Equal Employment Opportunity Act (EEO).

Host Agency Community Service Assignment Site Orientation

A "host agency" is either a public agency or a non-profit organization that provides supervision for one or more SCSEP participants during their community service work-training assignments.

Orientation to the host agency community service assignment site will be provided before participants begin community service assignments. Community service assignment orientation will be held during normal business hours and will include the following:

- Location of the community service assignment site;
- Job description;
- Work schedule;

- Community service assignment supervisor's name and contact information;
- Administrative procedures (time sheets, leave requests, grievance procedures, etc.); and
- Plans for transition to unsubsidized employment as described in the Individual Employment Plan (IEP).

NOTE: No participant should be the only representative on the premises at any Work-Training Site at any time.

Assessment

The assessment is used to identify the appropriate training objective, and for determining the most suitable SCSEP community service assignment. The assessment is the starting point for your overall success and is the first step in writing your IEP. An effective initial assessment is crucial to properly match your skill needs with a host agency that will enable you to meet the milestones and goals identified in your IEP.

Individual Employment Plan (IEP)

You will work together with SCSEP staff to complete an IEP. This plan lists specific goals, milestones and needs and the action steps necessary—with associated timeframes—to achieve those goals.

A summary of any counseling needs, medical assistance and personal concerns are discussed and, if necessary, supportive services (i.e., safety glasses, tools, uniforms, etc.) may be provided and documented on the plan. The IEP is jointly prepared by you and SCSEP staff and constitutes a contract. The IEP will be updated at least twice a year as you meet goals and set new goals to achieve successful unsubsidized employment.

Physical Examinations

A physical examination is a fringe benefit and a service to the participant. It is not used to determine eligibility.

Each participant must be offered a physical examination within 60 calendar days after enrollment. The offer of a physical examination must be documented. Results of the examination are the property of the participant and are kept completely confidential. Participants may, but are under no obligation to, share the results with the program staff. Results of physicals disclosed to SCSEP staff are kept in a separate locked file.

Participants have the right to waive the physical examination. If you object to having a physical examination, you will be required to sign a physical examination waiver. Waiving the physical examination may limit your community service assignment site because of the need to comply with applicable health laws.

TRAINING

Training goals for program participants are designed to encompass the teaching of specific skills deemed crucial to obtaining or maintaining employment. SCSEP training includes:

- Community Service Assignments;
- On-The-Job Experience;
- Classroom and Educational training; and
- Other Training Programs.

Community Service Assignments

The community service assignment description is used to document the duties and responsibilities that will be expected of you at the host agency site. The SCSEP staff and host agency work together to develop a community service assignment description based on the goals set in your IEP. The work-training assignment description is updated as your responsibilities are increased, or as new skills or tasks are added.

Additional skill training designed to either allow the participant to more effectively perform the community service assignment or lead to unsubsidized employment is permitted. This training may involve classroom lectures, seminars, individual instruction, training through other employment and training programs and community colleges. In addition, community service assignments have a goal of placing participants into unsubsidized employment. Through this program, older workers should have access to all of SCSEP work training services and the Workforce Investment System.

Community service assignments are based on skills that you need to learn in order to achieve your employment goals. As you achieve each goal, it may be necessary to change your host agency assignment location. When you master the skills needed for a job, you are then a candidate to move into unsubsidized employment.

On July 1, 2007, changes were implemented which limit the time a participant may be enrolled in SCSEP. This means that it is imperative that participants find unsubsidized employment as quickly as possible – hopefully within 3 to 9 months of enrollment, allowing for time remaining for additional assistance, should it be needed in the future. This time allowance will be monitored by Oklahoma grantees and the United States Department of Labor. It is vital to the success of each participant in the attainment of their employment goals that they understand these restrictions, and that they work to achieve unsubsidized employment as quickly as possible.

On-The-Job-Experience (OJE)

SCSEP participants are placed in appropriate work-training experiences that give them the opportunity to develop and practice the skills and/or experience needed to secure unsubsidized employment. In some instances, however, a participant may choose a goal of obtaining unsubsidized employment with a public or private employer requiring specific skills that are not attainable through the regular community service assignment. In these instances, if the

participant has completed at least 2 weeks at a community service assignment, SCSEP staff may elect to provide the participant with an “on-the-job experience” (OJE).

In order to provide a participant with an OJE, SCSEP staff must first negotiate a contract with the prospective employer. The contract must specify skills, timelines and benchmarks the participant must achieve in order to be hired permanently by the public or private employer. The prospective employer will then place the participant in a suitable training assignment for no more than 40 hours a week for up to 12 weeks to accommodate the gap between actual and needed skill levels. It must also stipulate that at the end of the training period, if the participant’s OJE has been satisfactory, the participant will remain on the potential employer’s payroll. The employer may be reimbursed up to 50 percent of the participant’s wages earned while in OJE training for up to 12 weeks. In order to implement an OJE component within its SCSEP project, SCSEP staff must provide a separate proposal delineating the provisions of its OJE project.

During the OJE project regular contact must be maintained in order to address any issues, safety concerns or problems with the employer or the participant. The contact may take place in-person, by telephone or e-mail and just be noted in the participant’s case notes.

Classroom and Educational Training

You are encouraged to pursue short-term training at career technology centers and colleges or universities. If these approved courses are consistent in meeting the goals set in the IEP, the program may pay for part or all of the costs, including the payment of reasonable costs of instructors, classroom rental, training supplies, materials, equipment, and tuition, if funds are available.

Other Training Programs

SCSEP often works with other training programs that have related objectives. These programs can provide information on job training, job-search workshops, resume writing classes, and vocational training. Many of these training programs are offered free of charge at local Workforce Centers.

WORKFORCE CENTERS

These centers offer a variety of services (depending on the center location), such as:

- Career information and planning;
- Skills assessment;
- Career resource library;
- Computer lab for preparing or updating your resume and practicing computer skills;
- Telephones, copiers and fax machines;
- Internet access for job leads or job searches;
- Local employer and labor market information;
- Free informational workshops, such as resume writing, job search assistance and interviewing skills;

- Career Readiness Certificates (Work Keys);
- Screening for training assistant programs; and
- Referral to other services, if needed.

Check with your local Workforce Center for available programs. A directory of Workforce Centers is available at www.workforceok.org/locator.htm. SCSEP staff can also assist you in locating the nearest Workforce Center.

TRAINING WAGES AND FRINGE BENEFITS

Training wages are set by the Oklahoma Minimum Wage Act (40 O.S. § 197.1 *et seq*) at:

- \$7.25 per hour as of July 24, 2009.

Training hours for community service assignments may exceed 25 hours per week to allow participant to reschedule work training hours, resulting from Federal holidays or other approved leave adjustments. There is no minimum number of training hours, although 20 hours per week is strongly encouraged.

Fringe benefits for SCSEP participants are limited to a basic physical examination and Workers' Compensation coverage. The Senior Community Service Employment Program is a training program. Participants are not eligible to receive unemployment benefits, retirement benefits, paid annual leave, paid sick leave, paid holidays, bonuses or any kind of monetary incentive.

Absences from your community service assignment must be requested in advance and approved by the host agency site supervisor and in accordance with host agency site guidelines. The host agency site designated supervisor will notify SCSEP staff of the approved, unpaid leave. In the event of an unexpected illness or accident, notification must be given to your SCSEP case manager as soon as possible. Your SCSEP case manager will notify the host agency site designated supervisor of the illness.

Participant Leave of Absence

Participant leave of absence may be accepted for the following reasons:

Category A. (maximum length of 120 hours in a 12 month period)

- If you have been given placement of a child for adoption or foster care;
- If you must care for an immediate family member(spouse, child, or parent) with serious health condition; or
- If you are temporarily unable to work because of your own serious health condition.

Category B. (maximum length of 120 hours in a 12 month period)

- If you must handle personal business (non-medical) which makes it difficult for you to work; or

- If you must handle family business (non-medical) which makes it difficult for you to work.

Please be aware of the following:

- Leave of absence of any kind shall be UNPAID leave; and
- The participant must continue to keep SCSEP case manager informed of status while on leave.

RECERTIFICATION

All SCSEP participants are required by the United States Department of Labor to be recertified if there has been a substantial change in circumstances that is likely to have an effect on eligibility, such as a substantial increase in an existing source of income or the addition of a new source of income. The marriage of a SCSEP participant is considered a substantial change of circumstances that requires a recertification.

During the recertification process, if it is determined that you are no longer eligible, you will receive 30 days written notification advising you of the date of termination from the program. SCSEP staff will assist you in contacting other available employment and training resources.

STANDARDS OF CONDUCT

Drug-Free Workplace

The dispensing, possession, or use of a controlled substance or alcohol is prohibited by participants in the Senior Community Service Employment Program. The use, consumption, sale, purchase, transfer or possession of any illegal or nonprescription drug by program staff or participants while in a community service assignment or SCSEP-sponsored training is prohibited. Any participant who violates this policy is subject to disciplinary action, including termination from the program.

Lobbying

SCSEP funds shall not be used in any way to influence the legislative process.

Volunteer Time

You will not volunteer or be asked to volunteer additional work hours beyond your scheduled community service assignment hours. To do so is in violation of the Fair Labor Standards Act. If you are asked to volunteer additional work hours beyond your scheduled hours, you must notify SCSEP staff immediately. Any participant who violates this policy is subject to disciplinary action, including termination from the program.

Nepotism

You will not be assigned to a host agency site if any member of your immediate family is in a decision-making capacity at that agency.

Prohibited Activities

While participating in the SCSEP, you may not be selected, rejected, promoted, or terminated based on your political affiliation or beliefs. Your selection or advancement as a reward for political services or as a form of political patronage, whether or not the political patronage is partisan in nature, is prohibited. Neither you nor any staff person may engage in partisan or nonpartisan political activities during time for which the person is paid with SCSEP funds. Neither you nor any staff person may engage in partisan political activities in which the person represents him/herself as a spokesperson of the SCSEP. Any participant who violates this policy is subject to disciplinary action, including termination from the program.

TERMINATION FROM PROGRAM

Your participation in the Senior Community Service Employment Program may be terminated for “cause.” “Cause” may include, but is not limited to:

- Lack of cooperation
- Refusal to cooperate in recertifying eligibility;
- Inability and/or unwillingness to perform assigned duties;
- Refusal to accept a different community service assignment;
- Unreasonable refusal to accept job offers or job referrals;*
- Failure and/or refusal to cooperate with the IEP;
- Frequent tardiness;
- Falsification by the participant of time sheets or other official records;
- Insubordination;
- Obscene/abusive language or behavior;
- Non-compliance with Leave of Absence policy limits;
- Non-compliance with substance abuse policy;
- Failure to cooperate with grantee and/or host agency staff; or
- Failure to maintain Standards of Conduct.

**Unreasonable refusal* is defined as the refusal of three job offers or job referrals.

Disciplinary action may be taken prior to termination from the program in order to allow the participant the opportunity for corrective action for certain offenses. Disciplinary action will be taken in the following order:

1. Verbal warning;
2. Written warning; and
3. Termination from program.

Participants who disagree with their termination may file a grievance. When participants are terminated for cause, the SCSEP staff will inform the participant with 30 days written notice of the reasons for termination and of the right to file a grievance as advised in orientation.

When feasible, participants terminated from the SCSEP will be referred to other potential sources for assistance.

If, at any time, the SCSEP staff determines that you were incorrectly declared eligible as a direct result of false information provided by you, you will be terminated from the program immediately. If, at any time, the SCSEP staff discovers that you, through no fault of your own, were incorrectly determined to be eligible, you will be given 30 days written notice of termination and will be referred to other potential assistance sources.

ADA AND EEO COMPLIANCE

Americans with Disabilities Act (ADA)

The Senior Community Service Employment Program is committed to complying with the Americans with Disabilities Act. The program will ensure that qualified individuals with disabilities are given an opportunity to participate in and benefit from its services, programs, benefits and training opportunities.

Equal Opportunity

It is against the law for this recipient of Federal financial assistance to discriminate against any individual in the United States, on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief.

The SCSEP grantee must not discriminate in any of the following areas:

- Deciding who will be admitted, or have access, to any SCSEP financially assisted program or activity;
- Providing opportunities in, or treating any person with regard to, such a program or activity; or
- Making employment decisions in the administration of, or in connection with, such a program or activity.

If you think that you have been subjected to discrimination under a Title V SCSEP financially assisted program or activity, you may file a complaint within 180 days from the date of the alleged violation with the grantee's Equal Opportunity Officer or person designated for the purpose. If the issue alleging violations of law, other than discrimination, still remain unresolved within 90 days as a result of the combined complaint resolution procedure, the complainant may file the grievance with the Oklahoma State Title V Coordinator.

Workforce Services Division
Oklahoma Employment Security Commission

PO Box 52003
Oklahoma City, OK 73152-2003

If you file your complaint with the SCSEP grantee you must wait either until the grantee issues a written Notice of Final Action, or until 90 days have passed (whichever is sooner), before filing with the Civil Rights Center (CRC).

If the SCSEP grantee does not give you a written Notice of Final Action within 90 days of the day on which you filed your complaint, you do not have to wait for the grantee to issue that Notice before filing a complaint with the CRC. However, you must file your CRC complaint within 30 days of the 90-day deadline (within 120 days of the incident).

Civil Rights Center (CRC), ATTN: Director
U.S. Department of Labor
200 Constitution Avenue NW, Room N-4123
Washington, DC 20210

If the SCSEP grantee does give you a written Notice of Final Action on your complaint, but you are dissatisfied with the decision or resolution, you may file a complaint with CRC. You must file your CRC complaint within 30 days of the date on which you received the Notice of Final Action.

GRIEVANCE PROCEDURES

Each SCSEP grantee is required to establish procedures for resolving grievances and complaints arising between the grantee, employees of the grantee, and applicants or participants.

- Each SCSEP grantee must:
 - Provide notice of grievance procedures to participants during intake orientation and to other interested parties;
 - Provide information about the content of the grievance and complaint procedures to participants and other interested parties affected by the local Workforce Investment System, including One Stop partners and service providers;
 - Make reasonable efforts to assure that the grievance information is written and understood by affected participants and other individuals, including, but not limited to, youth, persons with disabilities, and those who are limited-English speaking individuals.
- The grievance policy and procedures of each SCSEP grantee must provide the following:
 - A process for dealing with grievances and complaints from participants and other interested parties affected by the local Workforce Investment System;
 - An established time limit for filing grievance;
 - An opportunity for an informal resolution and a hearing to be completed within 60 days of the filing of the grievance or complaint;
 - A process which allows an individual alleging a labor standards violation to submit the grievance to a binding arbitration procedure, if a collective bargaining agreement covering the parties to the grievance so provides;

- A written response to the grievant, notifying him/her of the determination, as well as information on filing an appeal with the State.
- An opportunity for a local level appeal to a State entity when:
 - No decision is reached within 60 days; or
 - Either party is dissatisfied with the local hearing decision.
- If an individual elects to file his or her grievance with OESC, the grievance must be filed within 20 days from the date of the violation(s) which is the basis of the grievance.
- Each grievance shall be in writing and should:
 - Be signed by the grievant or his/her authorized representative;
 - Contain the grievant's name and address (or specify another means of contacting him or her);
 - Identify the individual against whom the grievance is filed, if applicable;
 - List the date(s) on which the acts which are the basis of the grievance occurred, or if continuing, when such acts began and describe the continuing nature;
 - List the names and addresses of persons who may have knowledge of the facts of the grievance;
 - Describe the grievant's allegations in sufficient detail to allow the Director of Workforce Services to determine whether:
 - The Director of Workforce Services has jurisdiction over the grievance;
 - The grievance was timely filed; and
 - The grievance has apparent merit, i.e., whether the allegations if true, would violate Title V of the Older Americans Act of 2006.
- The Director of Workforce Services may refer a grievance, originally filed with the OESC, to the SCSEP grantee if there is likelihood that it could be resolved at that level. If the referred grievance is not resolved within ten (10) days from the date of receipt by the SCSEP grantee, the Director of Workforce Services will attempt to resolve the issue informally.
- A participant or affected party may file a grievance with the SCSEP grantee or appeal the decision of a SCSEP grantee.
 - An appeal may be filed with the Director of Workforce Services from a grievance decision issued at the grantee level if:
 - No decision is reached within 60 days from the date the grievance is received at the grantee level; or
 - Either party is dissatisfied with the local area hearing decision.
 - If the grantee does not render a decision within sixty (60) days from the date of receipt of the grievance, an appeal must be filed with the Director of Workforce Services within thirty (30) days from the expiration of the sixty (60) day time period.
 - If the grantee renders a decision that a party is dissatisfied with, the appeal must be filed with the Director of Workforce Services within thirty (30) days of the date the grantee mails the decision to the party by certified mail.
- The Director of Workforce Services or his/her designee will attempt to resolve any grievance or appeal informally by meeting with the parties in person or discussing the grievance with the parties by telephone. If the grievance is not resolved informally within fifteen (15) days from the receipt of the grievance or appeal, the Director of Workforce Services will forward the grievance or appeal to the Assessment Board.

- The Assessment Board will conduct the hearing. The hearing process will be completed within sixty (60) days from the date the grievance was received by the Director of Workforce Services.
- An appeal or allegation of violation may be made to the U.S. Secretary of Labor (Secretary) or investigated by the Secretary and a final determination rendered no later than 120 days after receiving such appeal if:
 - A decision relating to such violation has not been reached within sixty (60) days after the date of filing of the grievance and either party appeals to the Secretary; or
 - A decision relating to such violation has been reached within sixty (60) days and the party to which such decision is adverse appeals such decision to the Secretary.

PARTICIPANT RESPONSIBILITIES

As a SCSEP participant, you are responsible for:

- Performing the assigned duties of your community service assignment to the best of your ability and reporting to SCSEP staff immediately should any of your duties change;
- Abiding by all host agency personnel policies and SCSEP rules and regulations;
- Attending all SCSEP meetings, training, classes, and other activities, as required by the SCSEP staff or your host agency supervisor;
- Registering and placing your resume on Oklahoma Job Link;
- Seeking unsubsidized employment opportunities on your own;
- Attending all appropriate job interviews to which you are referred or instructed to arrange by the SCSEP staff;
- Reporting any job-seeking activities to the appropriate SCSEP staff member;
- Notifying SCSEP staff of potential training opportunities that you may be interested in, which will help you meet your Individual Employment Plan goal;
- Not volunteering time at your host agency site without pay or compensatory time, which is prohibited and in violation of the U.S. Fair Labor Standards Act; and
- Understanding that you may be terminated from the program, and the reasons for which you may be terminated.

PARTICIPANT RIGHTS

As a participant in the Senior Community Service Employment Program, you have the right to:

- A suitable assignment, with consideration for personal preference, temperament, life experience, education and employment background, and job development goals;
- Receive an orientation to your community service host agency assignment;
- A safe and orderly training environment;
- Participate fully in the development of your Individual Employment Plan;
- A community service assignment description which accurately reflects the tasks and responsibilities of the assignment and the right to participate in updating the assignment

description periodically, to show goals achieved, accommodate changes in tasks and/or added responsibilities;

- Be treated as a trainee with a community service assignment and not as free help;
- Patient and thoughtful guidance from an informed and experienced host agency supervisor;
- Obtain additional responsibilities during your community service assignment;
- Apply for permanent employment when vacancies occur at the host agency that aligns with the goals set in your IEP;
- Assistance from SCSEP staff to obtain unsubsidized employment;
- Not be discriminated against for excluded from participation or denied benefits under this project on the grounds of race, creed, color, disability, national origin, sex, political affiliation, beliefs or age; and
- Have all information pertaining to your participation in SCSEP kept confidential.

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM

Participant Handbook Acknowledgement Form

(This page with the original signatures is to be placed and maintained in the participant's file and a copy must be returned to the participant)

I, the undersigned SCSEP participant, have received and read a copy of the Senior Community Service Employment Program Participant Handbook. I have read and understand the SCSEP Standards of Conduct, Reasons for Termination from the program, Participant's Responsibilities and Participant's Rights. I fully understand and agree to follow the program requirements set forth within.

This agreement is intended to reinforce the participant's understanding of the SCSEP training program and his/her rights and responsibilities to the program.

Participant's Full Name (please print)

Participant's Signature

Date

Authorized SCSEP Representative's Name (please print)

Authorized SCSEP Representative's Signature

Date

"Equal Opportunity Employer/Program"
"Auxiliary aids and services are available upon request to individuals with disabilities"

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM

Waiver of 48 Month Durational Limit

As a participant of the Senior Community Service Employment Program (SCSEP) it has been determined that the individual identified below needs additional training time and meets one of the following two (2) characteristics, which allow this participant to be eligible for a waiver of the 48 month lifetime durational limit. Those characteristics are: (1) meets Social Security age requirements but does not receive Social Security benefits; and (2) lives in an area of persistent unemployment and has severely limited employment prospects.

This waiver will allow the participant a one year extension, at the end of which the participant will be reevaluated for continuation in the program if the above characteristics still apply. If the participant is not given a waiver, then at the end of the 48 month lifetime durational limit the participant will not be able to continue with SCSEP nor will this participant be allowed to use the training benefits of this program from that time forward.

Participant Acknowledgement:

The above conditions of participation in the 48 month lifetime durational limit have been explained to me. I understand that at the end of the time limit, if not granted an extension waiver, I will be exited off the program and will be referred to the local Workforce Oklahoma Center to continue assistance with job search activities.

Signature of Participant

Date of Signature

Waiver of Durational Limit

Participant Name: _____

Participant ID: _____

Date of Waiver Application: _____

Durational Limit Date: _____

Meets age requirements but does not receive Security Title II retirement benefits?

Yes No Date of Last Update: _____ (mm/dd/yyyy)

Severely limited employment prospects and lives in an area of persistent unemployment?

Yes No Date of Last Update: _____ (mm/dd/yyyy)

(Attach copy of documentation to support the waiver criteria and place a copy of this request in the participant's file).

Signature of Authorized SCSEP Representative

Date of Signature

<p>For SCSEP State Program Administrator Use Only:</p> <p><input type="checkbox"/> The above participant is eligible for waiver. Request will be forward to U.S. Department of Labor for approval.</p> <p><input type="checkbox"/> The above participant is not eligible for waiver because: _____</p> <p>_____ Oklahoma State Title V Coordinator Signature</p> <p style="text-align: right;">_____ Date of Signature</p>	
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“Equal Opportunity Employer/Program”
“Auxiliary aids and services are available upon request to individuals with disabilities”

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM

Definitions

As published in the Federal Register on September 1, 2010, and effective October 1, 2010, the following definitions apply to the Senior Community Service Employment Program (20 CFR § 641.140):

Additional indicators mean retention in unsubsidized employment for one year; satisfaction of participants, employers and their host agencies with their experiences and the services provided; and any other indicators of performance that the Secretary determines to be appropriate to evaluate services and performance [OAA § 513(b)(2)].

At risk for homelessness means an individual is likely to become homeless and the individual lacks the resources and support networks needed to obtain housing.

Authorized position level means the number of SCSEP enrollment opportunities that can be supported for a 12-month period based on the average national unit cost. The authorized position level is derived by dividing the total amount of funds appropriated for a Program Year by the national average unit cost per participant for that Program Year as determined by the Department. The national average unit cost includes all costs of administration, other participant costs, and participant wage and benefit costs as defined in § 506(g) of the OAA.

Co-enrollment applies to any individual who meets the qualifications for SCSEP participation and is also enrolled as a participant in WIA or another employment and training program, as provided in the Individual Employment Plan.

Community service means [OAA § 518(a)(1)]:

1. Social, health, welfare, and educational services (including literacy tutoring), legal and other counseling services and assistance, including tax counseling and assistance and financial counseling, and library, recreational, and other similar services;
2. Conservation, maintenance, or restoration of natural resources;
3. Community betterment or beautification;
4. Antipollution and environmental quality efforts;
5. Weatherization activities;
6. Economic development; and
7. Other such services essential and necessary to the community as the Secretary determines by rule to be appropriate.

Community service assignment means part-time, temporary employment paid with grant funds in projects at host agencies through which eligible individuals are engaged in community service and receive work experience and job skills that can lead to unsubsidized employment [OAA § 518(a)(2)].

Core indicators means hours (in the aggregate) of community service employment; entry into unsubsidized employment; retention in unsubsidized employment for six months; earnings; the number of eligible individuals served; and most-in-need (the number of individuals described in § 518 (a)(3)(B)(ii) or (b)(2) of the OAA) [OAA § 513(b)(1)].

Core Services means those services described in § 134(d)(2) of WIA.

Department or DOL means the United States Department of Labor, including its agencies and organizational units.

Disability means a disability attributable to a mental or physical impairment, or a combination of mental and physical impairments, that results in substantial functional limitations in one or more of the following areas of major life activity [42 U.S.C. 3002(13)]:

1. Self-care;
2. Receptive and expressive language;
3. Learning;
4. Mobility;
5. Self-direction;
6. Capacity for independent living;
7. Economic self-sufficiency;
8. Cognitive functioning; and
9. Emotional adjustment.

Equitable distribution report means a report based on the latest available Census or other reliable data, which lists the optimum number of participant positions in each designated area in the State, and the number of authorized participant positions each grantee serves in that area, taking into account the needs of underserved counties and incorporated cities as necessary. This report provides a basis for improving the distribution of SCSEP positions.

Frail means an individual 55 years of age or older who is determined to be functionally impaired because the individual [42 U.S.C. 3002(22)]:

1. (i) Is unable to perform at least two activities of daily living without substantial human assistance, including verbal reminding, physical cueing, or supervision; or
 - (ii) At the option of the State, is unable to perform at least three such activities without such assistance;
 or
- (2) Due to a cognitive or other mental impairment, requires substantial supervision because the individual behaves in a manner that poses a serious health or safety hazard to the individual or to another individual.

Grant period means the time period between the effective date of the grant award and the ending date of the award, which includes any modifications extending the period of performance, whether by the Department's exercise of options contained in the grant agreement or otherwise. This is also referred to as "project period" or "award period."

Grantee means an entity receiving financial assistance directly from the Department to carry out SCSEP activities. The grantee is the legal entity that receives the award and is legally responsible for carrying out the SCSEP, even if only a particular component of the entity is designated in the grant award document. Grantees include public and nonprofit private agencies and organizations, agencies of a State, tribal organizations, and Territories, that receive SCSEP grants from the Department [OAA §§ 502(b)(1), 506(a)(2)]. As used here, "grantee" includes "grantee" as defined in 29 CFR § 97.3 and "recipient" as defined in 29 CFR § 95.2(gg).

Greatest economic need means the need resulting from an income level at or below the poverty guidelines established by the Department of Health and Human Services and approved by the Office of Management and Budget (OMB) [42 U.S.C. 3002(23)].

Greatest social need means the need caused by non-economic factors, which include: Physical and mental disabilities; language barriers; and cultural, social, or geographical isolation, including isolation caused by racial or ethnic status, which restricts the ability of an individual to perform normal daily tasks or threatens the capacity of the individual to live independently [42 U.S.C. 3002(24)].

Homeless includes:

1. An individual who lacks a fixed, regular, and adequate nighttime residence; and

2. An individual who has a primary nighttime residence that is [42 U.S.C. 11302(a)]:
 - (i) A supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill);
 - (ii) An institution that provides a temporary residence for individuals intended to be institutionalized; or
 - (iii) A public or private place not designed for, or ordinarily used as, regular sleeping accommodations for human beings.

Host agency means a public agency or a private nonprofit organization exempt from taxation under § 501(c)(3) of the Internal Revenue Code of 1986 which provides a training work site and supervision for one or more participants. Political parties cannot be host agencies. A host agency may be a religious organization as long as the projects in which participants are being trained do not involve the construction, operation, or maintenance of any facility used or to be used as a place for sectarian religious instruction or worship [OAA § 502(b)(1)(D)].

Indian means a person who is a member of an Indian tribe [42 U.S.C. 3002(26)].

Indian tribe means any tribe, band, nation, or other organized group or community of Indians (including Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act, 43 U.S.C. 1601 *et seq.*) which [42 U.S.C. 3002(27)]:

1. Is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians; or
2. Is located on, or in proximity to, a Federal or State reservation or Rancheria.

Individual employment plan (IEP) means a plan for a participant that is based on an assessment of that participant conducted by the grantee or sub-recipient, or a recent assessment or plan developed by another employment and training program, and a related service strategy. The IEP must include an appropriate employment goal (except that after the first IEP, subsequent IEPs need not contain an employment goal if such a goal is not feasible), objectives that lead to the goal, a timeline for the achievement of the objectives; and be jointly agreed upon with the participant [OAA § 502(b)(1)(N)].

Intensive services means those services authorized by § 134(d)(3) of the Workforce Investment Act.

Jobs for Veterans Act means Public Law 107–288 (2002). Section 2(a) of the Jobs for Veterans Act, codified at 38 U.S.C. 4215(a), provides a priority of service for Department of Labor employment and training programs for veterans, and certain spouses of veterans, who otherwise meet the eligibility requirements for participation. Priority is extended to veterans. Priority is also extended to the spouse of a veteran who died of a service-connected disability; the spouse of a member of the Armed Forces on active duty who has been listed for a total of more than 90 days as missing in action, captured in the line of duty by a hostile force, or forcibly detained by a foreign government or power; the spouse of any veteran who has a total disability resulting from a service connected disability; and the spouse of any veteran who died while a disability so evaluated was in existence [20 CFR § 641.520(b)].

Job ready refers to individuals who do not require further education or training to perform work that is available in their labor market.

Limited English proficiency means individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English.

Local Workforce Investment Area or local area means an area designated by the Governor of a State under § 116 of the Workforce Investment Act.

Local Board means a Local Workforce Investment Board established under § 117 of the Workforce Investment Act.

Low employment prospects means the likelihood that an individual will not obtain employment without the assistance of the SCSEP or another workforce development program. Persons with low employment prospects have a significant barrier to employment. Significant barriers to employment may include but are not limited to: Lacking a substantial employment history, basic skills, and/or English-language proficiency; lacking a high school diploma or the equivalent; having a disability; being homeless; or residing in socially and economically isolated rural or urban areas where employment opportunities are limited.

Low literacy skills means the individual computes or solves problems, reads, writes, or speaks at or below the 8th grade level or is unable to compute or solve problems, read, write, or speak at a level necessary to function on the job, in the individual's family, or in society.

Most-in-need means participants with one or more of the following characteristics: Have a severe disability; are frail; are age 75 or older; are age eligible but not receiving benefits under title II of the Social Security Act; reside in an area with persistent unemployment and have severely limited employment prospects; have limited English proficiency; have low literacy skills; have a disability; reside in a rural area; are veterans; have low employment prospects; have failed to find employment after using services provided under title I of the Workforce Investment Act of 1998 (29 U.S.C. 2801 *et seq.*); or are homeless or at risk for homelessness [OAA § 513(b)(1)(E)].

National grantee means a public or non-profit private agency or organization, or Tribal organization, that receives a grant under Title V of the OAA (42 U.S.C. 3056 *et seq.*) to administer a SCSEP project [OAA § 506(g)(5)].

OAA means the Older Americans Act, 42 U.S.C. 3001 *et seq.*, as amended.

One-Stop Center means the One-Stop Center system in a WIA local area which must include a comprehensive One-Stop Center through which One-Stop partners provide applicable core services and which provides access to other programs and services carried out by the One-Stop partners [WIA § 134(c)(2)].

One-Stop delivery system means a system under which employment and training programs, services, and activities are available through a network of eligible One-Stop partners, which assures that information about and access to core services is available regardless of where the individuals initially enter the workforce investment system [WIA § 134(c)(2)].

One-Stop partner means an entity described in § 121(b)(1) of the Workforce Investment Act, *i.e.*, required partners, or an entity described in § 121(b)(2) of the Workforce Investment Act, *i.e.*, additional partners.

Other participant (enrollee) costs means the costs of participant training, including the payment of reasonable costs to instructors, classroom rental, training supplies, materials, equipment, and tuition, and which may be provided before or during a community service assignment, in a classroom setting, or under other appropriate arrangements; job placement assistance, including job development and job search assistance; participant supportive services to enable a participant to successfully participate in a project, including the payment of reasonable costs of transportation, health care and medical services, special job-related or personal counseling, incidentals (such as work shoes, badges, uniforms, eyeglasses, and tools), child and adult care, temporary shelter, and follow-up services; and outreach, recruitment and selection, intake orientation, and assessments [OAA § 502(c)(6)(A)(ii)-(v)].

Pacific Island and Asian Americans means Americans having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands [OAA § 518(a)(5)].

Participant means an individual who is determined to be eligible for the SCSEP, is given a community service assignment, and is receiving any service funded by the program as described in subpart E.

Persistent unemployment means that the annual average unemployment rate for a county or city is more than 20 percent higher than the national average for two out of the last three years.

Poor employment prospects means the significant likelihood that an individual will not obtain employment without the assistance of the SCSEP or another workforce development program. Persons with poor employment prospects have a significant barrier to employment; significant barriers to employment include but are not limited to: lacking a substantial employment history, basic skills, and/or English-language proficiency; lacking a high school diploma or the equivalent; having a disability; being homeless; or residing in socially and economically isolated rural or urban areas where employment opportunities are limited.

Program operator means a grantee or sub-recipient that receives SCSEP funds from a SCSEP grantee or a higher-tier SCSEP sub-recipient and performs the following activities for all its participants: Eligibility determination, participant assessment, and development of and placement into community service assignments.

Program Year means the one-year period beginning on July 1 and ending on June 30.

Project means an undertaking by a grantee or sub-recipient in accordance with a grant or contract agreement that provides service to communities and training and employment opportunities to eligible individuals.

Recipient means grantee. As used here, “recipient” includes “recipient” as defined in 29 CFR § 95.2(gg) and “grantee” as defined in 29 CFR § 97.3.

Residence means an individual’s declared dwelling place or address as demonstrated by appropriate documentation.

Rural means an area not designated as a metropolitan statistical area by the Census Bureau; segments within metropolitan counties identified by codes 4 through 10 in the Rural Urban Commuting Area (RUCA) system; and RUCA codes 2 and 3 for census tracts that are larger than 400 square miles and have population density of less than 30 people per square mile.

SCSEP means the Senior Community Service Employment Program authorized under Title V of the OAA.

Secretary means the Secretary of the U.S. Department of Labor.

Service area means the geographic area served by a local SCSEP project in accordance with a grant agreement.

Severe disability means a severe, chronic disability attributable to mental or physical impairment, or a combination of mental and physical impairments, that [42 U.S.C. 3002(48)]:

1. Is likely to continue indefinitely; and
2. Results in substantial functional limitation in 3 or more of the following areas of major life activity:
 - (i) Self-care;
 - (ii) Receptive and expressive language;
 - (iii) Learning;
 - (iv) Mobility;
 - (v) Self-direction;
 - (vi) Capacity for independent living;
 - (vii) Economic self-sufficiency.

Severely limited employment prospects means the substantial likelihood that an individual will not obtain employment without the assistance of the SCSEP or another workforce development program. Persons with severely limited employment prospects have more than one significant barrier to employment; significant barriers to employment may include but are not limited to: Lacking a substantial employment history, basic skills, and/or English-language proficiency; lacking a high school diploma or the equivalent; having a disability; being homeless; or residing in socially and economically isolated rural or urban areas where employment opportunities are limited.

State Board means a State Workforce Investment Board established under WIA § 111.

State grantee means the entity designated by the Governor, or the highest government official, to enter into a grant with the Department to administer a State or Territory SCSEP project under the OAA. Except as applied to funding distributions under §506 of the OAA, this definition applies to the 50 States, Puerto Rico, the District of Columbia and the following Territories: Guam, American Samoa, U.S. Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

State Plan means a plan that the Governor, or the highest government official, of a State must submit to the Secretary that outlines a four-year strategy, and describes the planning and implementation process, for the statewide provision of community service employment and other authorized activities for eligible individuals under SCSEP (20 CFR § 641.300).

Sub-recipient means the legal entity to which a sub-award of financial assistance is made by the grantee (or by a higher-tier sub-recipient), and that is accountable to the grantee for the use of the funds provided. As used here, “subrecipient” includes “sub-grantee” as defined in 29 CFR § 97.3 and “subrecipient” as defined in 29 CFR § 95.2(kk).

Supportive services means services, such as transportation, health and medical services, special job-related or personal counseling, incidentals (such as work shoes, badges, uniforms, eyeglasses, and tools), child and adult care, housing, including temporary shelter, follow up services, and needs-related payments, which are necessary to enable an individual to participate in activities authorized under the SCSEP [OAA § 502(c)(6)(A)(iv) and 518(a)(7)].

Title V of the OAA means 42 U.S.C. 3056 *et seq.*, as amended.

Training services means those services authorized by WIA § 134(d)(4).

Tribal organization means the recognized governing body of any Indian tribe, or any legally established organization of Indians which is controlled, sanctioned, or chartered by such governing body [42 U.S.C. 3002(54)].

Unemployed means an individual who is without a job and who wants and is available for work, including an individual who may have occasional employment that does not result in a constant source of income [OAA § 518(a)(8)].

Veteran means an individual who is a “covered person” for purposes of the Jobs for Veterans Act, 38 U.S.C. 4215(a)(1).

Workforce Investment Act (WIA) means the Workforce Investment Act of 1998 (Pub. L. 105–220 (Aug. 7, 1998)), 29 U.S.C. 2801 *et seq.*, as amended.

Workforce Investment Act (WIA) regulations means regulations at 20 CFR § 652, subpart D and §§ 660–671.

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM

Income Inclusions and Exclusions

Includable Income Sources	Excludable Income Sources
<ul style="list-style-type: none"> • Earnings • Benefits received under title II of the Social Security Act (of which seventy-five percent will be counted as includable income) • Survivor benefits • Pension or retirement income • Interest income • Dividends • Rents, royalties, estates and trusts • Educational assistance • Alimony • Financial assistance from outside of the household • Other income 	<ul style="list-style-type: none"> • Social Security Disability Insurance • Unemployment Compensation • Twenty-five percent of a benefit received under title II of the Social Security Act • Payment made to or on behalf of veterans or former members of the Armed Forces under laws administered by the Secretary of Veterans Affairs • Supplemental Security Income • Public assistance • Income from other employment and training programs • Disability benefits • All forms of child support • Workers' compensation • The first \$2,000 of certain per capita fund distributions that are made to Indians pursuant to the Indian Claims Act, P.L. 93-134 and P.L. 97-458. • Any other income exception required by applicable Federal law-- e.g., stipends from programs funded by the Senior Corps of the Corporation for National and Community Service • Capital gains people received (or losses they incur) from the sale of property, including stocks, bonds, a house, or a car (unless the person engaged in the business of selling such property, in which case the CPS counts the net proceeds as income from self-employment) • Withdrawals of bank deposits • Money borrowed • Tax refunds • Gifts • Lump-sum inheritances, insurance payments, gambling and lottery earnings

* Definitions of includable and excludable income sources can be found in Training and Employment Guidance Letter (TEGL) No. 12-06, Attachment I.

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM

Family Size Verification Form

IMPORTANT: Only the Authorized SCSEP Representative should complete this section of the form.

SCSEP Applicant Name: _____

On this date: _____ there are _____ (#) of persons living in the above named individual's household at the following address:

Street Address: _____ City: _____ Zip: _____

The names of the residents and their relationship to the SCSEP applicant in this household are as follows:

Name: _____	Relationship to Applicant: _____
Name: _____	Relationship to Applicant: _____
Name: _____	Relationship to Applicant: _____
Name: _____	Relationship to Applicant: _____
Name: _____	Relationship to Applicant: _____
Name: _____	Relationship to Applicant: _____
Name: _____	Relationship to Applicant: _____
Name: _____	Relationship to Applicant: _____

IMPORTANT: Only the person signing below should complete this section of the form.

I know the SCSEP Applicant because I am his/her:

- Neighbor
 Apartment Manager/Landlord
 Social Worker/Case Worker
 Clergy
 Other: _____

I attest that I do not currently reside at this address myself, but I do have personal knowledge that the above information is true and correct.

Printed Name of Person Providing Verification

Telephone Number

Signature

Date

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM

Family Income Worksheet

Name of Family Member	Relationship	Source	Date Started	Date Ended	Earnings (indicate per week, per month, etc.)	Method 1	Method 2
						Income Amount Last 26 Weeks/ 6 Months	Income Amount Last 52 Weeks/ 12 Months
<p>SIGNED ATTESTATION: (For Claims of Zero Income Only) If zero income is claimed, participant signed self-attestation or signed third-party attestation is that explains how participant supported self is required.</p> <p>Beyond establishing total includable family income through official documents and business records, participant signed self-attestation is also required to document that no other includable family income exists.</p>					SUBTOTALS	Last 26 weeks/6 mos.	Last 52 weeks/12 mos.
					UNADJUSTED ANNUAL INCOME	(multiplied by 2)	(same as above)
					OASI EXCLUSION OPTION FOR <u>ALL</u> ENROLLEES		
					25% DEDUCTION OF OASI		
<p>COMMENTS:</p>					GRAND TOTAL ANNUAL / 6 MO INCOME		

I certify that the information provided is true to the best of my knowledge. I am aware that the information I have provided is subject to review and verification and that I may have to provide documents to support this application. I am also aware that I am subject to immediate termination if I am found ineligible after enrollment and may be prosecuted for fraud and/or perjury. I allow release of this information for verification purposes and understand that it will be used to determine eligibility.

Applicant's Name (print clearly)	Social Security Number	Applicant's Signature
Intake Worker Signature	Date	

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM

Leave of Absence (LOA) Authorization

Name: _____

Participant ID: _____

I hereby request a Leave of Absence from my participation in the SCSEP for the following reason:

CATEGORY A. (maximum length of 120 hours in a 12 month period)	
<input type="checkbox"/>	I have been given placement of a child for adoption or foster care.
<input type="checkbox"/>	I must care for an immediate family member (spouse, child, or parent) with a serious health condition.
<input type="checkbox"/>	I am temporarily unable to work because of my own serious health condition.

CATEGORY B. (maximum length of 120 hours in a 12 month period)	
<input type="checkbox"/>	I must handle personal business (non-medical) which makes it difficult for me to work.
<input type="checkbox"/>	I must handle family business (non-medical) which makes it difficult for me to work.

BEGINNING DATE:	ANTICIPATED RETURN DATE:	MUST RETURN BY:

I understand that:

- Leave of Absence of any kind shall be UNPAID leave;
- Leave of Absence will not be counted towards the individual durational limit for participation in the program; and
- I must continue to keep my SCSEP case manager informed of my status while on Leave.

PARTICIPANT SIGNATURE: _____ DATE: _____

APPROVED BY CASE MANAGER (SIGNATURE): _____

LEAVE OF ABSENCE OUTCOME:	
<input type="checkbox"/>	Participant returned to work on: _____ CM Initials: _____
<input type="checkbox"/>	Participant elects not to return to work by signature below: Participant Signature: _____ Date: _____
<input type="checkbox"/>	Other Outcome (specify): _____ CM Initials: _____

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM

Host Agency Monitoring Guide

HOST AGENCY INFORMATION

Host Agency Name	Community Service Assignment (CSA) Number
Assignment Address (<i>No., Street, City, State, Zip</i>)	
Supervisor's Name	Supervisor's Phone Number (<i>with area code</i>)
SCSEP Monitor's Name	Monitoring Date

HOST AGENCY AGREEMENT

1. There is a current signed and dated Host Agency Agreement between the grantee and host agency.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<u>Comments:</u> <hr/> <hr/> <hr/>		
2. Orientation has been provided to both the host agency and participant prior to placement in the community service assignment.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<u>Comments:</u> <hr/> <hr/> <hr/>		
3. The host agency is adhering to maintenance of effort requirements.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<u>Comments:</u> <hr/> <hr/> <hr/>		
4. The host agency is adhering to non-discrimination and equal opportunity requirements.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<u>Comments:</u> <hr/> <hr/> <hr/>		

TRAINING

1. Participant training duties are in compliance with the community service assignment description and are appropriate based on the participant's IEP.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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Comments: _____ _____ _____		
2. Participant knows what his/her training assignment duties are.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Comments: _____ _____ _____		
3. The participant is making progress toward the goals listed in the IEP.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Comments: _____ _____ _____		
4. Is there a possibility of additional training at the host agency beyond the goals listed in the participant IEP?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Comments: _____ _____ _____		
5. The host agency provides day-to-day supervision of participant.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Comments: _____ _____ _____		
6. The participant is neither volunteering at the host agency nor exceeding his/her training hours as described in the community service assignment.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Comments: _____ _____ _____		
7. Is there a possibility the participant will receive an unsubsidized employment offer at the host agency?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Comments: _____ _____ _____		
8. Are the host agency supervisor and participant satisfied?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

Comments: _____

SAFETY

1. The host agency provides a safe working environment (check for slip, trip and fall hazards, chemicals, lifting or pulling requirements, machinery hazards, fire hazards, etc.). Yes No

Comments: _____

2. Both the host agency supervisor and the participant know what to do in the event of an accident. Yes No

Comments: _____

3. The host agency provides the proper equipment and necessary space for the participant to safely perform his/her duties. Yes No

Comments: _____

ADDITIONAL COMMENTS

CERTIFICATION

Monitor Name	Signature	Date
Supervisor Name	Signature	Date