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**Bureau of Workforce Programs/Transformation (BWP/BWT)**  
**Policy Issuance (PI): 06-11, Change 6**

**Date:** October 21, 2009

**To:** Michigan Works! Agency (MWA) Directors

**From:** Liza Estlund Olson, Director, Bureau of Workforce Transformation **(SIGNED)**

**Subject:** Allowable Activities in Meeting Work Participation Requirements

**Programs Affected:** Jobs, Education, and Training (JET)

**Rescissions:** PI 01-38 and changes

**References:** Reauthorization of the Temporary Assistance for Needy Families (TANF) Program; Final Rule: *45 CFR Parts 261, et al.*, Federal Register, Volume 73, Number 24, February 5, 2008

Reauthorization of the TANF Program; Interim Final Rule: *45 CFR Parts 261, et al.*, Federal Register, Volume 71, Number 125, June 29, 2006

TANF Program; Final Rule: *45 CFR Part 260 et al.*, Federal Register, Volume 64, Number 69, April 12, 1999

Workforce Investment Act (WIA) of 1998: 20 CFR 652 et al., Final Regulations, Subpart B, Section 663.700-663.710

Section 403(b)(5) of the Social Security Act

State of Michigan Work Verification Plan, effective October 1, 2008

DELEG is an equal opportunity employer/program.  
Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.

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**Background:** This policy change is being issued to specify that beginning October 1, 2009, Non-Custodial Parent (NCP) and Non-Cash Recipient (NCR) referrals to the JET program are no longer to be accepted by MWAs. This change is being implemented due to continual reductions in JET funding, which has necessitated that services provided with JET funding be prioritized to those individuals connected to a Family Independence Program (FIP) or Extended Family Independence Program (EFIP) case.

**Policy:** The JET Program is designed to establish and maintain a connection to the labor market for individuals referred from the Michigan Department of Human Services (DHS) while offering educational and training opportunities and Job Search/Job Readiness (JS/JR) activities to increase the participant's income, therefore, reducing or eliminating a family's need for public assistance.

This policy defines the State of Michigan's JET Program allowable work participation activities in accordance with federal regulations. These regulations are stipulated in the *Reauthorization of the TANF Program; Final Rule*, dated February 5, 2008, with the effective date of October 1, 2008. The Final Rule replaces the Interim Final Rule, dated June 29, 2006, which guided previous directions.

As recipients of federal funds, MWAs and their service providers are required to comply with various regulations relating to non-discrimination, equal opportunity (EO), and inclusion. The most critical of these regulations are:

- Implementation of the Nondiscrimination and EO Provisions of the WIA of 1998;
- Section 504 of the Rehabilitation Act of 1998, as amended;
- Titles I and II of the Americans With Disabilities Act (ADA); and
- The ADA Accessibility Guidelines or the Uniform Federal Accessibility Standards.

In addition, priority will be given to assuring that throughout the system persons with physical, mental, cognitive, and sensory disabilities will have programmatic and physical access to all Michigan Works! Service Centers' services and activities. The commitment to adequately serving persons with disabilities extends beyond the specialized services of vocational rehabilitation.

To ensure a universally accessible and inclusive system, each local service area is encouraged to embrace the overall philosophy of Michigan's One-Stop Inclusion Workgroup Final Report.

For all activities, a reasonable workplace/training environment must be provided and must comply with applicable health and safety standards. All work/training placements must be non-discriminatory in nature and provide EO for all participants.

The primary focus of the JET Program is to assist participants with reducing their dependence on public assistance and movement toward increased self-sufficiency. This is to be accomplished through participation in core and non-core activities as outlined in this policy issuance and in Michigan’s Work Verification Plan. Life-skills instruction, training or education, and other work-readiness activities that promote employability skills may also be utilized.

**Although it is the expectation that MWAs place a majority of participants into activities that comply with meeting federal work participation requirements, MWAs have the flexibility to place a limited number of eligible participants into extended education/training activities that may conform to the *No Worker Left Behind Program*. Such placements should lead to the elimination of dependency on public assistance.**

Participation in the subsequently described activities can begin upon an individual’s referral to an MWA. Unlike previous program requirements, participants are not required to test the labor market prior to placement in other JET activities.

The DHS establishes the minimum required hours of participation for each individual upon referral to the MWA based upon appropriately corresponding federal and state criteria. The federal minimum required weekly hours for each family size are as follows:

Single-parent family <u>with</u> a child under the age of six .....	20
Single-parent family <u>without</u> a child under the age of six .....	30
Two-parent family <u>not using</u> federally funded child day care .....	35
Two-parent family <u>using</u> federally funded child day care .....	55

MWAs have the flexibility to require hours of participation beyond federal minimum requirements when appropriate. Ultimately, however, MWAs must focus on ensuring that as many participants as possible are meeting federal participation requirements, in order for Michigan to meet the overall participation rate required to avoid significant federal fiscal penalties.

MWAs must have single parent families (with or without a child under the age of six) who are assigned to JET complete 20 hours of participation each week in at least one of the eight “core activities” described in this policy to be counted as meeting federal participation requirements. For two-parent families *not* receiving federally funded child day care assistance, a total of 30 hours per week of the required 35 hours per week must be spent participating in core activities. For two-parent families that *are* receiving federally funded child day

care assistance, a total of 50 hours per week of the required 55 hours per week must be spent participating in core activities. Any remaining hours of the weekly participation requirement may be met through participation in “non-core activities” or core activities. The core or non-core designation of each activity is included in its description.

Actual hours of participation are averaged over the course of a reporting month to determine participation rates. For example, in a four-week month, a participant with a 20-hour per week participation requirement who completes 30 hours of core activities per week for two of the weeks and 10 core hours per week for the remaining two weeks (an average of 20 core hours per week) will be considered to have met their federal participation requirement for that reporting month. The beginning and end dates for the reporting months will be included in monthly Data Validation requests.

Beginning October 1, 2009, MWAs are to discontinue accepting NCP and NCR referrals to the JET program. Within 90 days of October 1, 2009, MWAs are expected to have transitioned all existing NCPs and NCRs being served with JET funding into other appropriate employment and training programs through the MWA or other local organizations.

The guidelines established in this policy issuance are to be used to ensure that work participation requirements are being met in accordance with federal and state standards.

### **Allowable Activities**

JET uses the definitions and guidelines for the allowable activities as outlined in the *Reauthorization of the TANF Program; Final Rule*, and subsequently described in Michigan’s Work Verification Plan. The allowable activities are identified and defined following the guidelines listed below.

Appropriate assessments and evaluation must be developed and conducted in conjunction with the DHS. Participation in basic skills education may only be counted under the following allowable activities: Job Skills Training Directly Related to Employment (non-core); Education Directly Related to Employment (non-core); or Vocational Educational Training (VET) (core). Please note that basic skills education may only be counted as VET *if* the basic skills education is embedded as a minor element of the VET Program, and is deemed to be necessary by the educational institution, which must provide supporting documentation for its need. Participants in basic skills education programs must meet the required minimum number of hours in core activities to meet participation requirements.

Case management procedures including entry of actual hours of participation into the One-Stop Management Information System, documentation

requirements for substantiating actual hours recorded, and guidelines regarding excused absences may be found in BWT PI 06-34 and its changes.

The allowable activities are as follows:

1. **Unsubsidized Employment** is a Core Activity. This means full- or part-time employment in the public or private sector that is not supported by TANF or state General Fund/General Purpose (GF/GP) funds or any other public program. Participation in unsubsidized employment is the fundamental goal for all JET Program participants to prepare them for self-sufficiency and public assistance case closure.

Self-employment may count as unsubsidized employment. Self-employment may include, but is not limited to, domestic work and the provision of childcare. The following formula must be used to determine if a self-employed participant meets or exceeds required minimum hours of employment necessary to report as unsubsidized employment.

- Monthly net business sales (gross revenues – expenses) divided by the federal minimum wage = total monthly hours.

The weekly calculated average hours must equal or exceed the minimum required hours of participation.

Hours of participation in barrier removal or other supportive activities, such as substance abuse treatment, mental health treatment, and rehabilitation activities may count as unsubsidized employment if the activities are an integrated part of the unsubsidized employment and if the participant is paid for all hours of participation in such activities.

Guidelines used for determining allowable self-employment activities and allowable self-employment expenses must be consistent with the countable self-employment income guidelines used by the DHS in determining TANF eligibility. These guidelines can be found in DHS Program Eligibility Manual 500, at: <http://www.mfia.state.mi.us/olmweb/ex/pem/500.pdf>.

2. **Subsidized Private and Public Sector Employment** is a Core Activity. This is employment for which the employer receives a subsidy from TANF, GF/GP, or other funds to offset some or all of the wages and costs of employing a participant. Work-study programs sponsored by educational institutions may be included in this activity.

While there is no time limit to this activity, it is to be used only on a limited basis for placement of participants who may have barriers to

employment. Subsidized private or public sector employment allows an employer the opportunity to observe how the participant functions in a work environment. Participants in this activity must be supervised on an ongoing basis, no less frequently than once each day in which the individual is scheduled to participate.

While a participant is enrolled in this activity, the MWA must provide the necessary supportive services to ensure that the participant is able to successfully complete the probationary period.

Subsidized private or public sector employment may be arranged directly through the employer or through a placement agency. TANF, GF/GP, or other funds may be used to reimburse the employer for the actual wages or salary earned by the participant. The subsidy is not to be used to provide fringe benefits.

Hours of participation in barrier removal or other supportive activities, such as substance abuse treatment, mental health treatment, and rehabilitation activities may count as subsidized employment if the activities are an integrated part of the subsidized employment and if the participant is paid for all hours of participation in such activities.

If the DHS closes the participant's FIP case, and the placement of the participant into this activity was the result of efforts made by the MWA, the participant may remain in this activity for the remaining balance of their limitation under the JET Program.

3. **On-the-Job Training (OJT)** is a Core Activity. This activity consists of training in the public or private sector that is given to a paid employee while he or she is engaged in productive work. The training should provide the knowledge and skills essential to the full and adequate performance of the job. Any paid training, whether provided off-site or at the work-site may be considered an OJT.

Participants receiving OJT will normally have contractual training periods. An OJT contract must be limited to the period of time required for a participant to become proficient in the occupation for which the training is being provided. In determining the appropriate length of the contract, consideration should be given to the skill requirements of the occupation, the academic and occupational skill level of the participant, prior work experience, and the participant's individual employment plan. Reimbursement of training costs may be provided to the employer from external funding sources, which may cover up to 50 percent of a participant's salary. All participants must be supervised by an employer, work site sponsor, or other responsible party no less frequently than once each day in which the individual is scheduled to participate.

In the event of TANF case closure, payment may continue to be paid to the employer until the OJT contract expires or is terminated by any party. The OJT standards under Subpart B, Section 663.700 through 663.710 of the Federal WIA Regulations will apply for all JET participants. An employer, work site sponsor, or other responsible party must supervise OJT daily.

4. **Job Search and Job Readiness (JSJR) Assistance** is a Core Activity. This activity consists of the act of seeking or obtaining employment, preparation to seek or obtain employment, including life skills training, and substance abuse treatment, mental health treatment, or rehabilitation activities. JSJR activities must be supervised by the MWA or other responsible party on an ongoing basis no less frequently than once each day in which the individual is scheduled to participate.

The “Job Search” aspect means “the act of seeking or obtaining employment,” which should encompass all reasonable job search initiatives. Job searching includes making contact with potential employers by telephone, in person, via the Internet, submitting resumes or e-mail applications to apply for job openings and/or vacancies, and interviewing for jobs.

“Job Readiness” involves any activity that prepares individuals to obtain and maintain employment. This entails activities that assist participants in becoming familiar with general workplace expectations, and learning behaviors and attitudes necessary to compete in the labor market. This includes preparing resumes or job applications, training in interviewing skills, instruction in work place expectations, and training in effective job seeking. Please note that personal activities such as seeking childcare, seeking housing, or seeking transportation are **not** countable work activities under JSJR or any other allowable activity.

Job Readiness may also involve substance abuse treatment, mental health treatment, or rehabilitation activities. In order to count such activities as part of JSJR, a qualified medical, substance abuse, or mental health professional, must provide written documentation of the need for participation in such activities.

Travel time between interviews may be counted as JSJR participation time, but not the travel time to the first job search interview or the time spent returning home after the last one.

As with all allowable activities, hours spent in substance abuse treatment, mental health treatment, or rehabilitation activities must be documented. If an individual does not have a sufficient number of hours of participation

in substance abuse treatment, mental health treatment, or rehabilitation activities alone to comply with his/her required number of work participation hours, a participant must combine the substance abuse treatment, mental health treatment, or rehabilitation activities with other allowable activities to meet their work participation requirement.

An individual's participation in JSJR assistance can count for a maximum of 12 weeks in the preceding 12-month period (a rolling 12-month period), of which no more than 4 weeks may be consecutive. Because Michigan is considered a "needy" state at the time of this policy issuance, its JSJR time limits are 12 weeks per preceding 12-month period, versus 6 weeks per preceding 12-month period for non-"needy" states. A state can qualify as a needy state based on its unemployment rate, or based on increases in its Food Stamp caseload (see Section 403 [b][5] of the Social Security Act).

The 12-month period started anew September 28, 2008, the beginning date of the October 2008 reporting period, for participants who had already completed any participation time in JSJR.

For the purposes of the 12-week limit, a week is defined as 20 hours for a participant who is a single custodial parent with a child under age six, and is defined as 30 hours for all other participants. Thus, a maximum of 240 hours of JSJR per preceding 12-month period may be counted toward the participation requirements of single custodial parents with a child under age six, and a maximum of 360 hours of JSJR may be counted toward the participation requirements of all other individuals. Thus, JSJR activities may be distributed over time, as opposed to previous federal regulations that required any time spent during a week in JSJR to be counted as one full week of the 12-week limit.

Please note that a maximum of 360 JSJR hours per preceding 12-month period may be counted for **each** work eligible individual in a two-parent family. The total hourly JSJR time countable for a two-parent family may not be combined and applied to one parent (i.e., one parent may not do all 720 JSJR hours).

Please note that for the purposes of the four-week limit on consecutive participation in JSJR, a week is the seven-day period from Sunday through Saturday. Thus, in terms of the four-consecutive week limit, *any* amount of time spent participating in JSJR during a week would exhaust one full week of the four-consecutive week JSJR time limit. If an individual participates in JSJR activities for four consecutive weeks, subsequent JSJR activities may not begin to count again towards the individual's federal participation requirement until one full week after the end of the fourth consecutive week of JSJR.

Hours of participation in JSJR in fifth consecutive weeks will not be counted towards participation requirements, nor be applied towards the individual's 240/360 hour 12-month limit.

For example, if a single parent with a child under age six (a 20 hour per week federal participation requirement) participates in ten hours a week of JSJR time, these JSJR hours could be spread over 29 calendar weeks in a twelve-month period, before reaching their 240 hour limit.

Hours of participation in JSJR in fifth consecutive weeks and hours of participation in JSJR that exceed the individual's total number of countable hours per twelve month period will not be counted towards the individual's participation requirements. Participation in another core activity would be required in order for the individual to meet federal participation requirements.

JSJR hours in a month that do not satisfy participation requirements will still be applied towards the individual's total number of countable hours for the 12-month period.

**Participation time spent in JSJR prior to an individual becoming a FIP recipient will not count towards the participant's JSJR time limit.**

Michigan Works! case management staff is required to supervise JSJR activities no less frequently than once each day in which the individual is scheduled to participate. In order to count job search activities that a participant engages in **outside of the MWA service center or other MWA service provider location**, participants must maintain a daily record of all employers visited in person or contacted via telephone, fax, or Internet, and must list the time spent engaged in making the contacts. The record must include the name and location of the employer, and the name and telephone number of the person who received the employment application or who handled the job search contact. The MWA must conduct random reviews of the listed employers on each job search record submitted by the participant (one of which should be submitted no less than every two weeks) to ensure the validity of the reported participation hours. If travel time between interviews is included in reported JSJR time, the MWA must verify that the time is an accurate representation of the time required to travel between the locations.

The JSJR participation time must be tracked by the MWA to ensure that countable participation time limits are not exceeded. The One-Stop Management Information System (OSMIS) will provide a warning when reported JSJR time approaches the participant's hourly limit for the

12-month period, and if more than four consecutive weeks of JSJR are entered. Total JSJR participation time recorded may also be found on the Family Self-Sufficiency Plan (FSSP).

Please note that actual hours spent in JSJR that exceed countable time limits may be counted as excused absences if the participant's excused absences have not been used for the month.

Caution should be used in reporting hours of JSJR above participants' weekly federal participation requirements. Reported hours of JSJR that are over the participant's core federal participation requirement will still exhaust hours of the participant's 240/360 hour limit for the 12-month period. In addition, reported hours of JSJR that are above the participant's total number of countable JSJR hours (240/360) for the 12-month period will still subtract time from a participant's total annual countable JSJR participation time in future 12-month periods, due to the rolling 12-month period.

As stated above, MWAs should use caution in reporting JSJR participation hours. However, MWAs should be informed that JSJR hours that are not countable in a month (JSJR hours over the individual's 240/360 hour annual limit and JSJR hours that occur during the fifth consecutive week) will still be collected and may be beneficial in federal assessments of the state's overall work participation status, as these hours contribute information about the overall engagement levels of participants.

5. **Work Experience** is a Core Activity. A Work Experience Program (WEP) is an unpaid work assignment, performed in return for welfare. This activity is usually best suited for individuals lacking previous employment experience and/or Job Readiness skills which prohibit direct placement into Unsubsidized Employment. The goal of the WEP is to improve skills, attitudes, and the general employability of these individuals. This activity may include work associated with the refurbishing of publicly assisted housing. WEPs may be created with public sector, private sector, community-based, faith-based, or nonprofit employers or work site sponsors. If participants are placed into sites with faith-based or political organizations, participation must be voluntary on the part of the participant, and the work activity must be nonsectarian and nonpartisan in nature. Participants in this activity must be supervised on an ongoing basis, no less frequently than once each day in which the individual is scheduled to participate.

WEP assignments are not intended to create employee-employer relationships. The program is intended to benefit participants by providing them with short-term, on-site work experience, which will add

to their appeal as potential employees and help them maintain employment once job placement has occurred.

The MWAs shall periodically evaluate the effectiveness of WEP assignment(s) to assess the participant's readiness for full-time Unsubsidized Employment.

A work site sponsor, or other responsible representative, is required to supervise WEP participants' daily assignments. Also, local case management staff must maintain daily attendance reports to ensure participants are meeting federal work participation requirements.

Sites for all WEP assignments shall be approved by the MWAs. The MWAs must negotiate the terms for placement of participants at WEP sites in terms of the participants' employment and training objectives.

**A participant's combined monthly hours of participation in WEPs and Community Service Programs (CSPs) may not exceed the amount of cash assistance the participant receives per month divided by the state's minimum wage, in accordance with the Fair Labor Standards Act (FLSA).** The OSMIS will provide a warning if the combined actual hours entered for WEP participation and CSP participation in a month exceed the number of allowable hours determined by the above formula. If the allowable monthly hours of WEP/CSP do not satisfy the participant's monthly core activity participation requirements, a core activity other than WEP or Community Service Programs (CSPs) must be used to meet the remainder of the core activity participation requirement.

The State of Michigan is the worker's compensation insurer for FIP clients while they are assigned to work-related activities through the MWA, per DHS Program Eligibility Manual 232.

6. A **Community Service Program (CSP)** is a Core Activity. CSPs must be structured programs in which individuals perform work for the direct benefit of the community under the auspices of public or nonprofit organizations. CSPs must be designed to improve the employability of participants otherwise unable to obtain full-time employment. Time counted in CSPs may include training that is an integral, embedded part of the CSP and of limited duration. Participants in CSPs must be supervised on an ongoing basis, no less frequently than once each day in which the individual is scheduled to participate.

The CSP sites shall be approved by MWAs. The MWAs shall negotiate the terms of the placement of participants at community service sites. An MWA shall take into account, to the extent possible, the prior training,

experience, and skills of a participant in making appropriate community service assignments.

An MWA shall only place participants into nonsectarian or nonpartisan activities. If participants are placed into sites with faith-based or political organizations, participation must be voluntary on the part of the participant, and the work activity must be nonsectarian and nonpartisan in nature. An evaluation must be done periodically in order to assess the effectiveness of participants' enrollments in CSPs.

**A participant's combined monthly hours of participation in CSPs and WEPs may not exceed the amount of the cash assistance the participant receives per month divided by the state's minimum wage, in accordance with the FLSA.** The OSMIS will provide a warning if the combined actual hours entered for CSP participation and WEP participation in a month exceed the number of allowable hours determined by the above formula. If the allowable monthly hours of CSPs/WEPs do not satisfy monthly core activity participation requirements, a core activity other than CSP or WEP must be used to meet the remainder of the core activity participation requirement.

The State of Michigan is the worker's compensation insurer for FIP clients while they are assigned to work-related activities (including CSPs) through the MWA, per DHS Program Eligibility Manual 232.

7. **Providing Childcare Services to an Individual who is Participating in a Community Service Program** is a Core Activity. This consists of providing childcare to enable another participant to participate in a CSP. This is an unpaid activity and must be a structured program designed to improve the employability of individuals who participate in it. Participants in this activity must be supervised on an ongoing basis no less frequently than once each day in which the individual is scheduled to participate.

Childcare provided to participants in other activities typically involves payment for services rendered and is classified as unsubsidized employment. Case managers must ensure the activity is effective in helping move the childcare provider toward self-sufficiency. Training, certification, or mentoring will help make the activity meaningful and may be a first step toward the participant's attainment of employment in the childcare field.

Participants providing the childcare services must collect written certification in accordance with the documentation requirements stipulated in PI 06-34 and subsequent changes to document that childcare services were actually provided by them for someone engaged in CSP activities.

This documentation must be collected by the MWAs in order to verify the hours of participation for individuals providing the childcare. The hours should be cross-referenced with the CSP activity verification to ensure accuracy.

8. **Vocational Educational Training (VET)** is a Core Activity. A maximum of 12 months of participation in this activity per participant per lifetime can be counted towards federal participation requirements. This 12-month lifetime limit applies to any hours of participation in the activity that are reported as actual hours during the month, regardless of whether the participant has enough hours to count in the work participation rate. Time limits do not start anew with the implementation of the Reauthorization of the TANF Final Rule. Any time that a recipient has spent in VET since the start of the Work First/JET program applies towards the 12-month lifetime limit.

VET is outlined in the following categories: Vocational Occupational Training; Condensed Vocational Training; and Internships, Practicums, and Clinicals. These activities are organized educational programs that are directly related to the preparation of individuals for employment in current or emerging occupations. Participation time in a baccalaureate or advanced degree program may be included in this activity. VET programs should be limited to activities that provide individuals the knowledge and skills to perform a specific trade, occupation, or other particular vocation. Any and all VET must be occupationally relevant and in demand as determined by the MWA. Participants in VET must be supervised on an ongoing basis no less frequently than once each day in which the individual is scheduled to participate.

Please note that baccalaureate and advanced degree programs may also be defined as the non-core activity, Job Skills Training Directly Related to Employment. Defining participation in baccalaureate and advanced degree programs as Job Skills Training Directly Related to Employment would avoid exhausting time in the 12-month VET limit (although the time would not be countable as a core activity).

All vocational educational training must be provided by education or training organizations. Such organizations include vocational-technical schools, public and private universities and colleges, community colleges, postsecondary institutions, proprietary schools, non-profit organizations, and secondary schools that provide facilities for a vocational educational provider's use.

VET activities may include basic and remedial education and English-as-a-Second Language (ESL) components. The educational or training organization providing the services must determine such activities to be a

necessary part of the training, and provide supporting documentation for its need. Such education must be embedded within the VET activity as a minor element of the program.

Up to one hour of **unsupervised** study time for each hour of class time in Vocational Occupational Training or Condensed Vocational Training may be counted towards participation requirements. **Supervised**, related study time for Vocational Occupational Training or Condensed Vocational Training may also be counted towards participation requirements. Total study time (including unsupervised and supervised time) counted towards participation cannot exceed the hours required or advised by the particular educational program. If the MWA opts to count study time towards participation requirements, it must obtain documentation from the educational institution stating the homework/study expectations of the program to ensure that reported participation time does not exceed those hours. For example, an individual who is enrolled in a vocational educational training program that consists of four hours per week of classroom seat time, whose educational institution recommends three hours per week of study time per credit hour/classroom hour, may not count more than 12 total hours of study time (no more than four of which may be unsupervised) towards their participation requirement.

In order to be counted towards participation requirements, supervised study time must be supervised in a formal study hall at the MWA or the educational institution, where an MWA staff person or appropriate representative of the educational institution can verify the participant's hours of study on a timesheet.

A standard for measuring progress should be developed by the training/educational institution in order to monitor participants' progress. Progress should be judged by mediums such as progress reports, report cards, grade point average, or a time frame within which a participant is expected to complete such education.

VET participation time must be tracked by the MWA to ensure that the 12-month lifetime limit on countable VET participation time is not exceeded. Total VET participation time recorded may be found on the FSSP.

Please note that VET activities that meet the definitions of other activities may be defined as such, in order to maximize countable participation time. For example, clinical training in a hospital that is part of a licensed practical nurse training program could meet the definition of a CSP or WEP and be categorized as such, to avoid exhausting time from the 12 allowable months of VET.

Please note that any amount of VET time reported in a month will be counted as one month of the 12-month lifetime VET limit. Thus, if the 12-month lifetime limit of VET has not yet been exceeded, and VET hours of participation in a month are minimal, it may not be in the participant's best interest for the MWA to report those hours, so as to not expend a month of the participant's VET 12-month lifetime limit (unless those hours were required for the person to meet their participation requirement that month).

Hours of participation spent in VET that have *exceeded* the VET 12-month lifetime limit should be reported on the OSMIS, despite not counting towards participation requirements. This information will be collected and may be beneficial in federal assessments of the state's overall work participation status, as these hours contribute information about the overall engagement levels of participants.

Please note that actual hours spent in VET that exceed the 12-month lifetime limit may be counted as excused absences if excused absences have not been used for the month.

- A. Vocational Occupational Training (VOT) - An occupationally relevant training component, directly related to a specific occupational field or specific job, which may combine classroom, laboratory, and other related activities.

Distance learning may be counted as part of this activity. Such time must be documented and verified as time in which progress was made, and must be in accordance with all documentation requirements specified in detail in case management PI 06-34 and changes.

Any participation time in this activity exceeding 12 months per individual may not be counted towards federal participation requirements.

- B. Condensed Vocational Training (CVT) - A short-term (not to exceed six months) vocational training program requiring a minimum of 30 hours of classroom seat time per week. The MWA must determine that a CVT is occupationally relevant and in demand. Participants must also demonstrate sufficient progress in the program as determined by the MWA.

In cases where a CVT lasts less than six months, the participant is eligible for enrollment in one additional CVT for a combined period not to exceed a total of 12 months.

- C. Internships, Practicums, and Clinicals - Full-time internships, practicums, or clinicals required by an academic or training

institution for licensure, professional certification, course credit, or degree completion. The program must be occupationally relevant and in demand as determined by the MWA. Participants must also demonstrate sufficient progress as determined by the MWA.

The length of time for which a participant may be enrolled in this activity shall be limited to the educational institution's requirements for completion of the associated program. Any participation time in this activity exceeding 12 months per individual may not be counted towards federal participation requirements.

Internships, practicums, and clinicals that consist of unpaid activities in the private or public non-profit sector that directly benefit the community serving a useful purpose may be defined as a CSP. Should an MWA define an Internship, Practicum, or Clinical as a CSP, all conditions of CSPs must be adhered to.

9. **Job Skills Training Directly Related to Employment** is a Non-Core Activity. It consists of training and education for job skills required by an employer to provide individuals with the abilities to obtain or advance in employment or adapt to changing workplace demands. Job skills training can include customized training to meet the needs of a specific employer or it can be general training that prepares individuals for employment. This can include literacy instruction or language instruction when such instruction is explicitly focused on skills needed for employment or combined in a unified whole with job training. Job skills training directly related to employment should be supervised on an ongoing basis, no less frequently than once each day in which the individual is scheduled to participate.

Baccalaureate and advanced degree programs may be defined as Job Skills Training Directly Related to Employment. Such programs must be applicable to an occupation that the MWA has determined to be in-demand.

Up to one hour of **unsupervised** study time for each hour of class time may be counted towards participation requirements. **Supervised**, related study time may also be counted towards participation requirements. Total study time (including unsupervised and supervised time) counted towards participation requirements cannot exceed the hours required or advised by the particular educational program. Where the MWA opts to count study time towards participation requirements, it must obtain documentation from the educational institution stating the homework/study expectations of the program to ensure that reported participation time does not exceed those hours. For example, an individual who is enrolled in a training program that consists of four hours per week of classroom seat time, whose educational institution recommends three hours per week of study time per credit

hour/classroom hour, may not count more than 12 total hours of study time (no more than four of which may be unsupervised) towards their participation requirement.

In order to be counted towards participation requirements, supervised study time must be supervised in a formal study hall at the MWA or the educational institution, where an MWA staff person or appropriate representative of the educational institution can verify the participant's hours of study on a timesheet.

Distance learning may be counted as part of this activity. Such time must be documented and verified as time in which progress was made, and must be in accordance with all documentation requirements specified in detail in case management PI 06-34 and changes.

Participants must also participate in the required minimum number of hours of core activities in order to meet minimum federal participation requirements.

A standard for measuring progress should be developed by the training/educational institution in order to monitor participants' progress. Progress should be judged by mediums such as progress reports, report cards, grade point average, or a time frame within which a participant is expected to complete such education.

10. **Education Directly Related to Employment** is a Non-Core Activity. This activity is for work eligible individuals who have not received a high school diploma or a certificate of high school equivalency. It involves education related to a specific occupation, job, or job offer. The activity includes courses designed to provide the knowledge and skills for specific occupations or work settings, but may also include adult basic skills education and ESL. Where required as a prerequisite for employment by employers or occupations, this activity may also include education leading to a General Educational Development (GED) or high school equivalency certificate.

Up to one hour of **unsupervised** study time for each hour of class time may be counted towards participation requirements. **Supervised**, related study time may also be counted towards participation requirements. Total study time (including unsupervised and supervised time) counted towards participation requirements cannot exceed the hours required or advised by the particular educational program. Where the MWA opts to count study time towards participation requirements, it must obtain documentation from the educational institution stating the homework/study expectations of the program to ensure that reported participation time does not exceed those hours. For example, an individual who is enrolled in an educational

program that consists of four hours per week of classroom seat time, whose educational institution recommends three hours per week of study time per credit hour/classroom hour, may not count more than 12 total hours of study time (no more than four of which may be unsupervised) towards their participation requirement.

In order to be counted towards participation requirements, supervised study time must be supervised in a formal study hall at the MWA or the educational institution, where an MWA staff person or appropriate representative of the educational institution can verify the participant's hours of study on a timesheet.

Distance learning may be counted as part of this activity. Such time must be documented and verified as time in which progress was made, and must be in accordance with all documentation requirements specified in detail in case management PI 06-34 and changes.

Participants must also participate in the required minimum number of hours of core activities in order to meet minimum federal participation requirements.

Participants in education directly related to employment should be supervised on an ongoing basis, no less frequently than once each day in which the individual is scheduled to participate.

A standard for measuring progress should be developed by the training/educational institution in order to monitor participants' progress. Progress should be judged by mediums such as progress reports, report cards, grade point average, or a time frame within which a participant is expected to complete such education.

11. **Satisfactory Attendance at Secondary School or in a Course of Study Leading to a Certificate of General Equivalence** is a Non-Core Activity. Unlike "education directly related to employment," this activity need not be restricted to those for whom obtaining a GED is a prerequisite for employment. The activity consists of regular attendance, in accordance with the requirements of the secondary school or course of study at a secondary school; or in a course of study leading to a certificate of general equivalence, in the case of a participant who has not completed secondary school or received such a certificate. The former is aimed primarily at minor parents still in high school, whereas the latter is aimed at participants of any age.

This activity may not include other related educational activities, such as adult basic education or language instruction, unless it is linked to attending a secondary school or leading to a GED.

Up to one hour of unsupervised study time for each hour of class time may be counted towards participation requirements. Supervised, related study time may also be counted towards participation requirements. Total study time (including unsupervised and supervised time) counted towards participation requirements cannot exceed the hours required or advised by the particular educational program. Where the MWA opts to count study time towards participation requirements, it must obtain documentation from the educational institution stating the homework/study expectations of the program to ensure that reported participation time does not exceed those hours. For example, an individual who is enrolled in an educational program that consists of four hours per week of classroom seat time, whose educational institution recommends three hours per week of study time per credit hour/classroom hour, may not count more than 12 total hours of study time (no more than four of which may be unsupervised) towards their participation requirement.

In order to be counted towards participation requirements, supervised study time must be supervised in a formal study hall at the MWA or the educational institution, where an MWA staff person or appropriate representative of the educational institution can verify the participant's hours of study on a timesheet.

Distance learning may be counted as part of this activity. Such time must be documented and verified as time in which progress was made, and must be in accordance with all documentation requirements specified in detail in case management PI 06-34 and changes.

Participants must also participate in the required minimum number of hours of core activities in order to meet minimum federal participation requirements.

Participants in this activity should be supervised on an ongoing basis, no less frequently than once each day in which the individual is scheduled to participate.

A standard for measuring progress should be developed by the training/educational institution in order to monitor participants' progress. Progress should be judged by mediums such as progress reports, report cards, grade point average, or a time frame within which a participant is expected to complete such education.

## **PROHIBITED**

In all such instances where participants are placed into any of the allowable work activities, they shall not be placed into vacancies created as the result of layoffs, strikes, or bona fide labor disputes. While participants cannot displace employees who were involuntarily terminated due to staffing reductions, they

may fill positions that occur due to attrition, as in cases where former employees voluntarily vacated positions. Concurrence must be obtained from the union prior to placement into vacancies if there is union representation.

**Action:** MWAs shall comply with this policy issuance in the implementation of the JET Program.

**Inquiries:** Questions regarding this policy issuance should be directed to your Welfare Reform state coordinator at (517) 335-5858.

The information contained in this policy issuance will be made available in alternative format (large type, audio tape, etc.) upon special request to this office. Please contact Ms. Barbara Elkins at (517) 241-4663, for details.

**Expiration**

**Date:** Continuing

LEO:SS:be  
Attachment

**JET Allowable Activities in Meeting the Required Hours of Participation**  
**(Applies to all Participants)**

<p>1. <b>Unsubsidized Employment</b> (Core Activity, 20 hr/week minimum)</p> <ul style="list-style-type: none"> <li>• Full- or part-time employment in the public or private sector, not supported by Temporary Assistance for Needy Families (TANF) funds, state General Fund/General Purpose (GF/GP) funds, or any other public program.</li> <li>• Hours in barrier removal or other supportive activities, such as substance abuse treatment, mental health treatment, and rehabilitation activities may count as unsubsidized employment if the activities are an integrated part of the unsubsidized employment and if the participant is paid for all hours of participation in such activities.</li> <li>• Self-employment may count as unsubsidized employment.</li> <li>• The following formula must be used to determine actual hours of participation for the <b>self-employed</b>: Monthly net business sales (gross revenues-expenses) divided by the federal minimum wage=total monthly hours. Guidelines for determining allowable self-employment activities and allowable self-employment expenses can be found in Department of Human Services Program Eligibility Manual 500, at <a href="http://www.mfia.state.mi.us/olmweb/ex/pem/500.pdf">http://www.mfia.state.mi.us/olmweb/ex/pem/500.pdf</a>.</li> </ul>	X
<p>2. <b>Subsidized Public or Private Sector Employment</b> (Core Activity, 20 hr/week minimum)</p> <ul style="list-style-type: none"> <li>• Job Creation through public or private sector employment wage subsidies.</li> <li>• Work-study programs sponsored by educational institutions may be included in this activity.</li> <li>• Hours of participation in barrier removal or other supportive activities, such as substance abuse treatment, mental health treatment, and rehabilitation activities may count as subsidized employment if the activities are an integrated part of the subsidized employment and if the participant is paid for all hours of participation in such activities.</li> </ul>	X
<p>3. <b>On-the-Job Training (OJT)</b> (Core Activity, 20 hr/week minimum)</p> <ul style="list-style-type: none"> <li>• Training is conducted while participants are employed. Employer may be reimbursed for the training costs, which may cover up to 50 percent of a participant's salary.</li> <li>• An OJT contract must be limited to the period of time required for a participant to become proficient in the occupation for which the training is being provided.</li> </ul>	X
<p>4. <b>Job Search and Job Readiness (JSJR) Assistance</b> (Core Activity, 20 hr/week minimum)</p> <ul style="list-style-type: none"> <li>• The act of seeking or obtaining employment, or preparation to seek or obtain employment.</li> <li>• Job Readiness activities may include substance abuse treatment, mental health treatment, or rehabilitation activities if determined to be necessary by a qualified medical or mental health professional.</li> <li>• Personal activities such as seeking childcare, seeking housing, or seeking transportation are <b>not</b> countable work activities under JSJR or any other allowable activity.</li> <li>• An individual's participation in JSJR assistance can count for a maximum of 12 weeks in the preceding 12-month period, of which no more than 4 weeks may be consecutive.</li> <li>• For the purposes of the 12-week limit, a week is defined as 20 hours for a participant who is a single custodial parent with a child under age six, and is defined as 30 hours for all other participants (240 hours single custodial parents with a child under age six, and 360 hours for all other individuals). A maximum of 360 JSJR hours per preceding 12-month period may be counted for <b>each</b> work eligible individual in a two-parent family.</li> <li>• For the purposes of the four-week limit on consecutive participation in JSJR, a week is the seven-day period from Sunday through Saturday. Thus, <i>any</i> amount of time spent participating in JSJR during a week would exhaust one full week of the 4-consecutive week JSJR time limit. If an individual participates in JSJR activities for four consecutive weeks, subsequent JSJR activities may not begin to count again towards the individual's federal participation requirement until one full week after the end of the fourth consecutive week of JSJR.</li> <li>• Hours of participation in JSJR in fifth consecutive weeks will not be counted towards participation requirements, nor be applied towards the individual's 240/360 hour 12-month limit.</li> <li>• JSJR hours in a month that do not satisfy participation requirements will still be applied towards the individual's total number of countable hours per twelve-month period.</li> <li>• Participation time spent in JSJR prior to an individual becoming a FIP recipient will not count towards the participant's JSJR time limit.</li> </ul>	X
<p>5. <b>Work Experience Program (WEP)</b> (Core Activity, 20 hr/week minimum)</p> <ul style="list-style-type: none"> <li>• An unpaid work assignment, performed in return for welfare. May include work associated with the refurbishing of publicly assisted housing.</li> <li>• No specific time limit, but intent is for short-term participation that improves skills and general employability of participants.</li> <li>• A participant's combined monthly hours of participation in WEPs and Community Service Programs (CSPs) may not exceed the amount of cash assistance the participant receives per month divided by the state's minimum wage, in accordance with the Fair Labor Standards Act (FLSA). If the allowable monthly hours of WEP do not satisfy monthly core activity participation requirements, a core activity other than WEP or CSP must be used to meet the remainder of the core activity participation requirement.</li> </ul>	X
<p>6. <b>Community Service Programs (CSP)</b> (Core Activity, 20 hr/week minimum)</p> <ul style="list-style-type: none"> <li>• CSPs must be structured programs in which individuals perform work for the direct benefit of the community under the auspices of</li> </ul>	X

<p>public or nonprofit or organizations. CSPs must be designed to improve the employability of participants otherwise unable to obtain full-time employment.</p> <ul style="list-style-type: none"> <li>• Time counted in CSPs may include training that is an integral, embedded part of the CSP and of limited duration.</li> <li>• A participant’s combined monthly hours of participation in CSPs and WEPs may not exceed the amount of the cash assistance the participant receives per month divided by the state’s minimum wage, in accordance with the FLSA. If the allowable monthly hours of CSP do not satisfy monthly core activity participation requirements, a core activity other than CSP or WEP must be used to meet the remainder of the core activity participation requirement.</li> </ul>	
<p>7. <b>Provision of Childcare Services to Individuals Participating in Community Service Programs</b> (Core Activity, 20 hr/week minimum)</p> <ul style="list-style-type: none"> <li>• Providing childcare to individuals participating in a community service program.</li> <li>• This is an unpaid activity and must be a structured program designed to improve the employability of individuals who participate in it.</li> </ul>	X
<p>8. <b>Vocational Educational Training (VET)</b> (Core Activity, 20 hr/week minimum)</p> <ul style="list-style-type: none"> <li>• Organized educational programs that prepare individuals for employment in current or emerging occupations.</li> <li>• Participation time in a baccalaureate or advanced degree program may be included in this activity.</li> <li>• Any participation time in this activity exceeding 12 months per individual shall not be counted towards federal participation requirements.</li> <li>• Basic and remedial education and English-as-a-Second Language (ESL) may only count as part of a VET activity if they are a minor component of the program, and deemed to be necessary by the educational institution, who must provide supporting documentation for its need.</li> </ul> <p>A. Vocational/Occupational Training</p> <ul style="list-style-type: none"> <li>▪ An occupationally relevant training component, directly related to a specific occupational field or specific job, which may combine classroom, laboratory, and other related activities.</li> <li>▪ Up to one hour of unsupervised study time for each hour of class time may be counted towards participation requirements. Supervised, related study time may also be counted towards participation requirements. Total study time (including unsupervised and supervised time) counted for participation cannot exceed the hours required or advised by the particular educational program.</li> </ul> <p>B. Condensed Vocational Training (CVT)</p> <ul style="list-style-type: none"> <li>▪ A short-term (not to exceed six months) vocational training program requiring a minimum of 30 hours of classroom seat time per week.</li> <li>▪ Up to one hour of unsupervised study time for each hour of class time may be counted towards participation requirements. Supervised, related study time may also be counted towards participation requirements. Total study time (including unsupervised and supervised time) counted for participation cannot exceed the hours required or advised by the particular educational program.</li> </ul> <p>C. Internships, Practicums, &amp; Clinicals</p> <ul style="list-style-type: none"> <li>• Activities required by an academic or training institution for licensure, professional certification, or degree completion, etc.</li> <li>• Countable participation time is limited to the requirements of the educational institution for the associated program.</li> </ul>	X
<p>9. <b>Job Skills Training Directly Related to Employment</b> (Non-Core Activity)</p> <ul style="list-style-type: none"> <li>• Job skills training focuses on educational or technical training that specifically helps individuals obtain employment or advance in the workplace.</li> <li>• Remedial ed/basic math/ESL is allowable if it relates directly to employment or job training.</li> <li>• Baccalaureate and advanced degree programs may be defined as Job Skills Training Directly Related to Employment. Such programs must be applicable to an occupation that the MWA has determined to be in-demand.</li> <li>• Up to one hour of unsupervised study time for each hour of class time may be counted towards participation requirements. Supervised, related study time may also be counted towards participation requirements. Total study time (including unsupervised and supervised time) counted for participation cannot exceed the hours required or advised by the particular educational program.</li> </ul>	O
<p>10. <b>Education Directly Related to Employment</b> (Non-Core Activity)</p> <ul style="list-style-type: none"> <li>• Education related to a specific occupation, job, or job offer.</li> <li>• For work-eligible individuals who have <i>not</i> received a high school diploma or certificate of high school equivalency.</li> <li>• Remedial ed/basic math/ESL and GED preparation is allowable if it is related to a specific occupation, job, or job offer.</li> <li>• Up to one hour of unsupervised study time for each hour of class time may be counted towards participation requirements. Supervised, related study time may also be counted towards participation requirements. Total study time (including unsupervised and supervised time) counted for participation cannot exceed the hours required or advised by the particular educational program.</li> </ul>	O
<p>11. <b>Satisfactory Attendance at Secondary School or in a Course of Study Leading to a Certificate of General Equivalence</b> (Non-Core Activity)</p> <ul style="list-style-type: none"> <li>• Activity may not include other related educational activities, such as adult basic education or language instruction unless it is linked to attending a secondary school or leading to a GED.</li> <li>• Up to one hour of unsupervised study time for each hour of class time may be counted towards participation requirements. Supervised, related study time may also be counted towards participation requirements. Total study time (including unsupervised and supervised time) counted for participation cannot exceed the hours required or advised by the particular educational program.</li> </ul>	O

X – Any single or combination of those activities identified with an “X” can be used to meet the minimum 20 required hours of participation in Core Activities.

O – Those activities marked with an “O” are considered “Non-Core Activities” and can only be used for meeting the required hours of participation after the minimum hours of Core Activity participation have been met.