

# **Senior Community Service Employment Program (SCSEP)**

## **Policy and Guidance**

**From**

**Michigan Department of Health and Human Services  
Bureau of Aging, Community Living, and Support**

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## Definitions

The following definitions apply to the operation of this program:

- 1) 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.
- 2) 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. The national average unit cost includes all costs of administration, other participant costs, and participant wage and benefit costs as defined in Section 506(g) of the Older Americans Act (OAA).
- 3) Co-enrollment applies to any individual who meets the qualifications for SCSEP participation and is also enrolled as a participant in Workforce Investment & Opportunity Act (WIOA) or another employment and training program, as provided in the Individual Employment Plan.
- 4) Career services means those services described in Sec. 134(c)(2) of WIOA.
- 5) Community service means:
  - a) 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.
  - b) Conservation, maintenance, or restoration of natural resources.
  - c) Community betterment or beautification.
  - d) Antipollution and environmental quality efforts.
  - e) Weatherization activities.
  - f) Economic development.
  - g) Other such services essential and necessary to the community.
- 6) Community service assignment means part-time training opportunities paid for with grant funds in projects at host agencies through which eligible individuals are engaged in community services and receive work experience and job skills that can lead to unsubsidized employment. Where situations warrant, such assignments may be remote in nature based upon guidance from local public health. (OAA Sec.518(a)(2).)
- 7) Core measures means hours (in the aggregate) of community service employment; the percentage of project participants who are in unsubsidized employment during the second quarter after exit from the project; the percentage of project participants who are in unsubsidized employment during the fourth quarter after exit from the project; the median earnings of project participants who are in unsubsidized employment during the second quarter after exit from the project; indicators of effectiveness in serving employers, host agencies, and project participants; the number of eligible individuals served; and number of most-in-need served (the number of individuals described in 20 CFR Part 641 and OAA Sec. 513(b).)

- 8) Disability means a disability attributable to a mental or physical impairment, or a combination of mental and physical impairments, that result in substantial functional limitations in one or more of the following areas of major life activity:
- a) Self-care
  - b) Receptive and expressive language
  - c) Learning
  - d) Mobility
  - e) Self-direction
  - f) Capacity for independent living
  - g) Economic self-sufficiency
  - h) Cognitive functioning
  - i) Emotional adjustment
- 9) Employment and Training Services means those services describe in Sec. 134 of WIOA.
- 10) 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.
- 11) Frail means an individual 55 years of age or older who is determined to be functionally impaired because the individual:
- (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
  - (iii) 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.
- 12) Local government means a public agency or private non-profit organization, other than a political party, exempt from taxation under the provision of Section 501(c)(3) of the Internal Revenue Code of 1954, which provides a worksite and supervision for an enrollee.
- 13) 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).
- 14) 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 (Sec. 102 of OAA).

- 15) Homeless includes:
- a) An individual who lacks a fixed, regular, and adequate nighttime residence; and
  - b) An individual who has a primary nighttime residence that is:
    - (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, a regular sleeping accommodation for human beings
- 16) Host agency means public agency, or a private nonprofit organization exempt from taxation under Section 501 (c) (3) of the Internal Revenue Code of 1986 of 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 if 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.
- 17) Household size means members of a household that meet the definition of a standard family, subfamily, or related subfamily as described in TEGL 12-06.
- 18) Individual employment plan (IEP) means a plan that is based on an assessment of that participant conducted by the 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.
- 19) Jobs for Veterans Act means 20 CFR Part 1010 and is 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) 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 Part 641.140).
- 21) English Language Learner means individuals who have a low level of literacy and individuals facing substantial cultural barriers under Sec. 203 of WIOA.
- 22) Local Workforce Development Area or local area means an area designated by the Governor of the State under Sec.106 of WIOA.

- 23) Local Board means a Local Workforce Development Board established under Sec 107 of WIOA.
- 24) Low employment prospects mean 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 which 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.
- 25) Low-income means household income not exceeding 125% of the Federal Poverty Level, excluding certain income sources, as established by the Department of Health and Human Services, and approved by the Office of Management and Budget (OMB). See *TEGLs 13-04 and 12-06* for complete instruction on income inclusions and exclusions.
- 26) Low literacy skills mean 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 function on the job, in the individual's family, or in society.
- 27) Michigan Works! is the brand for Michigan's statewide One-Stop Career Service Centers.
- 28) 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 WIOA; or are homeless or at risk for homelessness.
- 29) One-Stop Center means the local workforce development system in a WIOA local workforce development area through which One-Stop partners provide applicable core partner and required partner services, and which provides access to other programs and services carried out by the One-Stop partners. (See WIOA Sec. 121(e)(2)).
- 30) 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 Centers through which One-Stop partners provide applicable employment and training services and which provides access to other programs and services carried out by the One-Stop partners.
- 31) One-stop partner an entity described in Sec. 121 (b)(1) of the WIOA, i.e., required partners, or an entity described in Sec. 121 (b)(2) of the WIOA, i.e., additional partners.
- 32) Other participant (enrollee) costs means the costs of participants' training, including the payment of reasonable costs instructors, classroom rentals, training supplies, materials, equipment, and tuition, and which may be provided before or during a community services 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, follow-up services, outreach, recruitment and selection, intake orientation, and assessments.

- 33) 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 of §641.500. A participant is not considered a federal employee solely as a result of participation in the SCSEP (OAA Sec. 504 (a)).
- 34) 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.
- 35) Program Year means the one-year period beginning on July 1 and ending on June 30.
- 36) Project means an undertaking by a sub-recipient in accordance with a contract agreement that provides service to communities and training and employment opportunities to eligible individuals.
- 37) Residence means a declared dwelling place or address as demonstrated by appropriate documentation.
- 38) Residency requirement is met when an individual's residence is in the State of Michigan.
- 39) 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 or 3 for Census tracts that are larger than 400 square miles and have population density of less than 30 people per square mile.
- 40) SCSEP means the Senior Community Service Employment Program authorized under Title V of the OAA.
- 41) Senior means an individual who is 55 years of age or older.
- 42) Service area means the geographic area served by a local SCSEP project in accordance with a grant agreement.
- 43) Severe disability means a severe, chronic disability attributable to mental or physical impairment, or a combination of mental and physical impairments, that:
  - a) Is likely to continue indefinitely; and
  - b) 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

- 44) Severely limited employment prospects mean 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. Pursuant to 20 CFR Part 641.140, significant barriers to employment may include, but are not limited to:
- a) Lacking a substantial employment history
  - b) Lacking basic skills
  - c) Limited English-language proficiency
  - d) Lacking a high school diploma or the equivalent
  - e) Having a disability
  - f) Being homeless or residing in socially and economically isolated rural or urban areas where employment opportunities are limited.
- 45) State Board means a State Workforce Development Board established under WIOA Section 101.
- 46) 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 §641.300.
- 47) 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, “sub-recipient” includes “sub-grantee” as defined in 29 CFR 97.3 and “sub-recipient” as defined in 29 CFR 95.2 (k).
- 48) Supportive services mean services such as:
- a) Transportation
  - b) Health and medical services
  - c) Special job-related or personal counseling
  - d) Incidentals such as:
    - (i) Work shoes
    - (ii) Badges
    - (iii) Uniforms
    - (iv) Eyeglasses
    - (v) Tools
  - e) Child and adult care
  - f) Housing, including temporary shelter
  - g) Follow up services
  - h) Needs-related payments, which are necessary and enable an individual to participate in activities authorized under the SCSEP.
- 49) Title V of the OAA means Title V of the Older Americans Act, amended 2019.
- 50) Training services means those services authorized by WIOA Sec.134(c)(3).

- 51) 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)(9)).
- 52) Veteran means an individual who is a “covered person” for purposes of the Jobs for Veterans Act, 38 U.S.C. 4215(a)(1). 20 CFR Part 1010.
- 53) Workforce Innovation and Opportunity Act (WIOA) means the Workforce Innovation and Opportunity Act, Public Law 113–128 (July 22, 2014), as amended.
- 54) Workforce Innovation and Opportunity Act (WIOA) regulations mean the regulations in parts 675 through 688 of this chapter, the Wagner-Peyser Act regulations in parts 651 through 654 and part 658 of this chapter, and the regulations implementing WIOA sec. 188 in 29 CFR part 38.

### ***Project Goals and Objectives***

The Michigan Department of Health and Human Services, Bureau of Aging, Community Living, and Support (ACLS Bureau) is designated by the Governor of the State of Michigan to administer the Senior Community Service Employment Program (SCSEP), as authorized under Title V of the Older Americans Act of 1965, reauthorized in 2019. This program is administered through the U.S. Department of Labor. The major objective is to eliminate as many barriers to employment for older adults as possible.

The dual goals of the SCSEP are to provide economically disadvantaged older persons an opportunity for employment, while fostering useful part-time opportunities in community service activities. SCSEP targets persons with low income who are 55 years old or older.

Benefits derived from this program include:

- a) Earned income
- b) Development of employability skills
- c) Yearly physical examinations
- d) Opportunity for full-time or part-time unsubsidized employment
- e) Meaningful activities outside the home environment including the continuation of mental, physical, and socialization activities
- f) Maintenance of independence, dignity, and self-worth of older persons

To achieve the mission of this program efficiently and effectively, participants, host agencies, sub-recipients, and the Department must agree to cooperative responsibilities enumerated in this document.

### ***Sub-Recipient Requirements***

Sub-recipient shall provide services to the specified number of participants in the specified counties as determined by the annual U.S. DOL allocation and allotment notice.

Sub-recipient requirements are subject to OAA 502(b), as follows: GRANT AUTHORITY - PROJECTS - To carry out this title, the Secretary may make grants to public and nonprofit private agencies and organizations, agencies of a State, and tribal organizations to carry out the

program established under subsection (a). Such grants may provide for the payment of costs, as provided in subsection (c), of projects developed by such organizations and agencies in cooperation with the Secretary in order to make such program effective or to supplement such program. The Secretary shall make the grants from allotments made under section 506, and in accordance with section 514. No payment shall be made by the Secretary toward the cost of any project established or administered by such an organization or agency unless the Secretary determines that such project:

- a) will provide community service employment 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;
- b) will provide community service employment and other authorized activities for eligible individuals in the community in which such individuals reside, or in nearby communities; or
  - (i) if such project is carried out by a tribal organization that receives a grant under this subsection or receives assistance from a State that receives a grant under this subsection, will provide community service employment and other authorized activities for such individuals, including those who are Indians residing on an Indian reservation, as defined in section 2601 of the Energy Policy Act of 1992 (25 U.S.C.3501).
- c) will employ eligible individuals in service related to publicly owned and operated facilities and projects, or projects sponsored by nonprofit organizations (excluding political parties exempt from taxation under section 501(c)(3) of the Internal Revenue Code of 1986), but excluding projects involving the construction, operation, or maintenance of any facility used or to be used as a place for sectarian religious instruction or worship.
- d) will contribute to the general welfare of the community, which may include support for children, youth, and families.
- e) will provide community service employment and other authorized activities for eligible individuals.
- f) will not reduce the number of employment opportunities or vacancies that would otherwise be available to individuals not participating in the program.
  - (i) will not displace currently employed workers (including partial displacement, such as a reduction in the hours of non-overtime work, wages, or employment benefits)
  - (ii) will not impair existing contracts or result in the substitution of Federal funds for other funds in connection with work that would otherwise be performed
  - (iii) will not employ or continue to employ any eligible individual to perform the same work or substantially the same work as that performed by any other individual who is on layoff
- g) will coordinate activities with training and other services provided under Title I of the Workforce Innovation and Opportunity Act, including utilizing the one-stop delivery system of the local workforce development areas involved to recruit eligible individuals to ensure that the maximum number of eligible individuals will have an opportunity to participate in the project.
- h) will include such training (such as work experience, on-the-job training, and classroom training) as may be necessary to make the most effective use of the skills and talents of those individuals who are participating and will provide for the payment of the reasonable expenses of individuals being trained, including a reasonable subsistence allowance equivalent to the wage described in subparagraph (J).

- i) will ensure that safe and healthy employment conditions will be provided, and will ensure that participants employed in community service and other jobs assisted under this title will be paid wages that shall not be lower than whichever is the highest of:
  - (i) the minimum wage that would be applicable to such a participant under the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.), if section 6(a)(1) of such Act (29 U.S.C. 206(a)(1)) applied to the participant and if the participant were not exempt under section 13 of such Act (29 U.S.C. 213).
  - (ii) the State or local minimum wage for the most nearly comparable covered employment; or
  - (iii) the prevailing rates of pay for individuals employed in similar public occupations by the same employer.
- j) will be established or administered with the advice of persons competent in the field of service in which community service employment or other authorized activities are being provided, and of persons who are knowledgeable about the needs of older individuals.
- k) will authorize payment for necessary supportive services costs (including transportation costs) of eligible individuals that may be incurred in training in any project funded under this title, in accordance with rules issued by the Secretary.
- l) will ensure that, to the extent feasible, such project will serve the needs of minority and Indian eligible individuals, eligible individuals with limited English proficiency, and eligible individuals with greatest economic need, at least in proportion to their numbers in the area served and take into consideration their rates of poverty and unemployment.
- m) will prepare an assessment of the participants' skills and talents and their needs for services, except to the extent such project has, for the participant involved, recently prepared an assessment of such skills and talents, and such needs, pursuant to another employment or training program (such as a program under the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.), the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.), or part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) and will prepare a related service strategy;
  - (i) will provide training and employment counseling to eligible individuals based on strategies that identify appropriate employment objectives and the need for supportive services, developed as a result of the assessment and service strategy provided for in clause (i), and provide other appropriate information regarding such project; and
  - (ii) will provide counseling to participants on their progress in meeting such objectives and satisfying their need for supportive services.
- n) will provide appropriate services for participants, or refer the participants to appropriate services, through the one-stop delivery system of the local workforce development areas involved as established under section 121(e) of the Workforce Innovation and Opportunity Act and will be involved in the planning and operations of such system pursuant to a memorandum of understanding with the local workforce development board in accordance with section 121(c) of such Act.
- o) will post in such project workplace a notice, and will make available to each person associated with such project a written explanation:
  - (i) clarifying the law with respect to political activities allowable and unallowable under chapter 15 of title 5, United States Code, applicable to the project and to each category of individuals associated with such project; and
  - (ii) containing the address and telephone number of the Inspector General of the Department of Labor, to whom questions regarding the application of such chapter may be addressed.

- p) will provide to the Secretary the description and information described in clauses (ii) and (viii) of paragraph (2)(B), relating to coordination with other Federal programs, of section 102(b) of the Workforce Innovation and Opportunity Act; and paragraph (2)(C)(i), relating to implementation of one-stop delivery systems of section 102(b) of the Workforce Innovation and Opportunity Act; and
- q) will ensure that entities that carry out activities under the project (including State agencies, local entities, subgrantees, and subcontractors) and affiliates of such entities receive an amount of the administrative cost allocation determined by the Secretary, in consultation with grantees, to be sufficient.

### ***Participant Eligibility Criteria***

- 1) Eligibility criteria set forth in this section apply to all applicants for the SCSEP:
  - a) Sub-recipient must document the eligibility of each applicant
  - b) Sub-recipient shall determine initial eligibility at the time of application
  - c) Applicants deemed job ready may not enroll in SCSEP
- 2) To be eligible for the SCSEP a participant must meet the criteria for age, income, and place of residence during the initial enrollment, recertification, and reenrollment. The criteria are as follows:
  - a) *Age* - an individual shall be no less than 55 years of age. No applicant or whose age is 55 years or more shall be determined ineligible because of age, and no upper age limit shall be imposed for initial or continued enrollment or reenrollment
  - b) *Income* - the income of an individual or of the family of which the individual is a member shall not exceed the low-income standards defined by the U.S. Department of Labor. The income definition and guidelines shall be applied during initial enrollment, recertification, and reenrollment
  - c) *Residency* - an individual must reside in the state of Michigan during the initial enrollment, recertification, and reenrollment. No requirement pertaining to length of residency shall be imposed
  - d) If applicable, an individual should complete the Immigration and Naturalization Service (INS) Form I-9 to prove residency status
  - e) *Unemployed* - Participants must be unemployed at the time of application, enrollment, recertification, and reenrollment. A participant who is employed is not eligible to participate in SCSEP
- 3) Sub-recipients shall not impose additional conditions or requirements for eligibility.

Participants are not considered Federal employees solely as a result of participation in SCSEP (OAA Sec. 504 (a)).

### ***SCSEP Ineligible Individuals***

Pursuant to 20 CFR Part 641, sub-recipients shall:

- 1) Take an application from any individual who indicates a desire to apply.
- 2) Provide information about the program and its eligibility requirements without taking an application if the individual is only making an inquiry.
- 3) Inform an individual making an inquiry about the program, eligibility requirements, and assist an individual with calculating his or her income to determine if the individual meets income guidelines

- 4) Provide an individual determined ineligible the right to appeal that determination.
- 5) Refer ineligible applicants to the One-Stop or to other appropriate service providers. Such activity may be conducted by:
  - a) Sub-recipient staff, or
  - b) Partners of the sub-recipient's office.

### ***Participant Income Eligibility***

A sub-recipient shall:

- 1) Determine an applicant's eligibility initially through the application process and annually thereafter.
- 2) Compute an applicant's income eligibility by calculating:
  - a) The includable income received by the applicant during the twelve (12) month period ending on the date an individual applies.
  - b) The annualized income for the six (6) month period ending on the date an individual applies; or
  - c) Whichever method in paragraph (a) or (b) of this subsection is more favorable to the applicant.
- 3) Apply the same rules to all family members.

The following benefit payments shall be included in SCSEP income eligibility determinations:

- 1) Earnings
- 2) Seventy-five (75) percent of benefits received under Title II of the Social Security Act (SSDI)
- 3) Survivor benefits
- 4) Pension or retirement income
- 5) Interest income
- 6) Dividends
- 7) Rents, royalties, and estates and trusts
- 8) Educational assistance
- 9) Alimony
- 10) Other inclusions as authorized by the Department of Labor

### ***Participant Excludable Income***

The following benefit payments shall be excluded from SCSEP income eligibility determinations (Sec. 641.507):

- 1) Unemployment compensation received under Title XVI of the Social Security Act, 42 U.S.C. 1381 et seq. (SSI).
- 2) A payment made to or on behalf of veterans or former members of the Armed Forces administered under the Secretary of Veterans Affairs.
- 3) Twenty-five (25) percent of a benefit received under Title II of the Social Security Act, 42 U.S.C. 401 et seq (SSDI).
- 4) Other exclusions allowed by the Department of Labor (TEGL 12-06 and 17-13).

### ***Priority of Service***

- 1) Sub-recipients must give priority to eligible individuals who have one or more to the following characteristics:
  - a) is 65 years of age or older
  - b) has a disability

- c) has limited English proficiency
  - d) has low literacy skills
  - e) resides in a rural area
  - f) is a veteran or spouse of a veteran as defined in 20 CFR 541.520(b)
  - g) has low employment prospects
  - h) has failed to find employment after utilizing services provided under Title I of the Workforce Innovation and Opportunity Act
  - i) is homeless or at risk for homelessness
  - j) was formerly incarcerated or on supervision from release from prison or jail within five years of the date of initial eligibility determination
- 2) Sub-recipients may only determine priority characteristics at the time of enrollment

### ***Priority to Veterans***

- 1) Section 2(a) creates a priority for service to veterans, and in some cases, spouses of veterans, who otherwise meets the program eligibility:
  - a) Priority is extended to veterans
  - b) Priority is extended to the spouse of a veteran who died of a service-connected disability
  - c) The spouse of a member of the Armed Forces on active duty who has been listed for a total of more than ninety (90) days as missing in action, captured in the line of duty by hostile force, or forcibly detained by a foreign government or power
  - d) The spouse of a veteran who has total disability resulting from a service-connected disability
  - e) The spouse of any veteran who died while a disability so evaluated was in existence.
- 2) Sub-recipients must apply these priorities in the following order:
  - a) Persons who qualify as a veteran or qualified under Section 2(a) of the Jobs for Veterans Act and possess at least one of the other priority characteristics
  - b) Persons who qualify as a veteran or qualified spouse under Section 2(a) of the Jobs for Veterans Act and who do not possess any other of the priority characteristics
  - c) Persons who do not qualify as a veteran or qualified spouse under Section 2(a) of the Jobs for Veterans Act (non-veterans), and who possesses at least one of the other priorities

### ***Participant Application Elements***

- 1) To apply for SCSEP, an applicant shall submit official records to a sub-recipient that substantiate the applicant's:
  - a) State of residence, such as:
    - i) Driver's license
    - ii) State, federal, or tribal ID card
    - iii) Social Security statement
    - iv) Rental agreement
    - v) Voter registration card
  - b) Date of birth, such as:
    - i) Birth certificate
    - ii) Driver's license
    - iii) Government identification card
    - iv) Social Security award letter

- c) Number in the family, such as:
  - i) A lease
  - ii) Signed third-party attestation that explains how participant supported self
- d) A family-of-one, such as:
  - i) Receipt of Social Security Disability Insurance (SSDI)
  - ii) Other Social Security Administration records
  - iii) Medical records
  - iv) Disability records
  - v) Veteran's medical record
  - vi) Vocational rehabilitation letter
  - vii) Worker's compensation record
- e) Employment including:
  - i) Official documents and business records that establish includable income and
  - ii) Attestation that establishes no other includable income exists or
  - iii) Military discharge papers or other military identification
- 2) An individual selected for participation in the SCSEP shall participate in the following activities:
  - a) Initial orientation
  - b) Initial assessment
  - c) Subsequent assessment
  - d) Development of initial and updated IEP
- 3) A participant shall not be considered a Federal employee solely as a result of the participant's participation in the SCSEP
- 4) An applicant must be assigned a community service assignment to be considered a participant

### **Orientation**

When individuals are selected for participation in the SCSEP, the sub-recipient is responsible for providing orientation, including:

- 1) Project goals and objectives
- 2) Community service assignments
- 3) Training opportunities
- 4) Available supportive services
- 5) The availability of a of free physical examination
- 6) Participant rights and responsibilities
- 7) Permitted and prohibited political activities
- 8) SCSEP policies and procedures
- 9) Role of supervisors
- 10) Evaluation of participant progress
- 11) Maximum individual durational policy
- 12) Provision of safe working safety assessment
- 13) Documentation requirements
- 14) Termination policies
- 15) Grievance procedures



## ***Assessment***

- 1) Sub-recipients shall:
  - a) Assess participants at least twice within a 12-month period
  - b) Use information obtained from the assessment to determine an appropriate community service assignment for participants
- 2) An assessment and IEP developed under Title I of WIOA will satisfy the requirement for SCSEP assessment and IEP as defined by OAA Sec. 502(b)(3)(A)
- 3) When individuals are selected for participation in the SCSEP, the sub-recipient is responsible for providing assessment, including:
  - a) Participant's work history
  - b) Skills, interests, and talents
  - c) Physical capabilities
  - d) Aptitudes
  - e) Needs for supportive services
  - f) Occupational preferences
  - g) Training needs
  - h) Potential for performing community service assignments, and potential for transition to unsubsidized employment

## ***Individual Employment Plan (IEP)***

Sub-recipients and participants shall:

- 1) Use the information gathered during the initial assessment and subsequent assessments to develop the initial IEP and renew/modify the IEP no less than every six months.
  - a) The IEP is to be used to detail training, services to be provided, and expectations for the participant
    - i) Participant and Sub-Awardee must jointly agree upon the plan.
  - b) Establish S.M.A.R.T. goals taking into consideration the participant's employment interests and abilities
    - i) S.M.A.R.T. – specific, measurable, achievable, relevant, time bound
    - ii) Reflect the goal of unsubsidized employment at the earliest point in time
- 2) Review the IEP quarterly with the host site and the participant to assure the host site placement is appropriate. Changes should be made as necessary.
- 3) Develop transitional plans for participants who will reach the individual durational limit without achieving unsubsidized employment.
- 4) Document transitional plans on the participant's IEP twelve (12) months prior to a participant reaching their individual durational limit.

## ***Transition Planning***

Beginning twelve (12) months before the maximum durational limit expires, the sub-recipient shall develop a plan to transition a participant to unsubsidized employment or other appropriate activities. The transition plan shall be reflected in the participant's IEP.

- 1) Develop transitional plans for participants who will reach their 48-month individual durational limit.
- 2) Develop an updated IEP that:
  - a) For participants that no longer have unsubsidized employment as a goal, begin transitioning to other activities as appropriate and remove from SCSEP assignment.
  - b) For participants with unsubsidized employment as a goal, escalate skill and/or job development, and increase job searches.

- 3) Refer participants to other services, such as, local One-Stops, volunteer activities, and related employment opportunities.
- 4) Help participants who will reach their individual durational limit without achieving unsubsidized employment with planning for life without SCSEP wages and decreased socialization.
- 5) Continue the reassessment notification dates as usual, even for participants who are likely to reach their individual durational limit.
- 6) Develop an exit process that includes a:
  - a) Recruitment Plan to replace exiting participants, if necessary, Host Agencies
  - b) Placement plan for exiting participants

### ***Community Service Assignment (CSA)***

- 1) Community service assignment is part-time training for eligible individuals to engage in community service and receive work experience and job training.
- 2) When individuals are selected for participation in the SCSEP, the sub-recipient is responsible for placing a participant in a community service assignment in the community in which the participant resides or a nearby community.
- 3) Sub-recipients must ensure that the initial CSA is based on the assessment done at enrollment.

### ***Recertification of Participants***

Sub-recipients shall:

- 1) Recertify the income eligibility of each participant at least once every twelve (12) months, or more frequently if circumstances warrant.
- 2) Follow the termination and grievance procedure policy to deal with participants found ineligible during recertification.
- 3) Recertify all participants at one time or at an individual's anniversary date.

### ***Individual Durational Limit***

An eligible individual may participate in SCSEP for a maximum of forty-eight (48) months in the aggregate. A sub-recipient shall inform a participant, when enrolled in SCSEP, of the maximum individual durational limit (IDL). The sub-recipient shall ensure the participant does not exceed their 48-month IDL.

### ***Break-in-Participation***

An authorized break in participation from SCSEP shall:

- 1) Be considered a formal leave of absence for the following reasons:
  - a) Personal circumstance
  - b) Suitable community service assignment was unavailable
  - c) Be formally entered into SPARQ database
  - d) Not count toward the individual time limit.
- 2) A sub-recipient shall:
  - a) Notify a participant at the time of enrollment of the break in participation policy.
  - b) Notify a participant at the time of enrollment that any break in participation shall be without pay.
  - c) Host agency supervisors, with notification to the sub-recipient, approve a two week break in participation for participants assigned to that host agency.

- d) Approve, with agreement from the host agency supervisor, a break in participation for up to sixty (60) days.
- e) A participant may be granted a leave of absence with approval from the department for up to ninety (90) calendar days in extenuating circumstances such as:
  - i) Illness
  - ii) Family care
  - iii) Institutionalization
- f) Except for an extenuating circumstance, the participant must request a leave of absence or approved break in participation from the host agency supervisor, at least five (5) working days prior to the proposed absence or break

## ***Participant Wages and Benefits***

### **Wages**

Sub-recipients shall:

- 1) Pay participants the highest wage required by law for time spent in orientation, training, and community service assignments.
- 2) Pay SCSEP participants the highest applicable required wage while receiving WIOA employment and training services. (The highest applicable required wage is either minimum wage applicable under the Fair Labor Standards Act of 1939 or the prevailing rate of pay for persons employed in similar public occupations by the same employer.)
- 3) Make any adjustments to minimum wage rates payable to participants as may be required by the Fair Labor Standards Act of 1939.
- 4) Only pay wages to participants.

### **Benefits**

Sub-recipients shall:

- 1) Provide participants benefits that are required by law.
- 2) Provide benefits uniformly to all participants within a project or subproject.
- 3) Prohibited wage and benefits costs:
  - a) Participants may not carry over allowable benefits from one Program Year to the next
  - b) Sub-recipients may not provide payment or otherwise compensate participants for unused benefits such as sick leave or holidays
  - c) Sub-recipients may not use SCSEP funds to cover costs associated with the following participant benefits:
    - i) Pension benefits
    - ii) Annual leave
    - iii) Accumulated sick leave
    - iv) Bonuses

### **Physical Exams**

Sub-recipients must offer participants the opportunity to receive physical examinations annually:

- 1) Physical examinations are a benefit and not an eligibility criterion.
- 2) Participants may choose not to accept the physical examination.
  - a) Sub-recipients must document this refusal, through a signed statement by the participant, within 60 workdays after commencement of the community service assignment.
  - b) Each year thereafter, sub-recipients must offer the physical examination and document the offer and any participant's refusal.

## **Worker's Compensation**

Sub-recipients shall:

- 1) Provide participants Worker's Compensation pursuant to Michigan statutes and regulations, which may be found on the Michigan Department of Labor and Economic Opportunity website at <http://www.michigan.gov/leo>.
- 2) Make all required payments for payroll and worker's compensation premiums on a timely basis.
- 3) Prohibit host agencies from paying worker's compensation costs for participants.

## **Emergency Leave**

At the direction of MDHHS/ACLS Bureau in the event of a major disaster or a pandemic which places participants' health and safety at risk, sub-recipients shall:

- 1) Allow participants to train remotely and receive their regular wage.
- 2) Allow participants to be on leave with pay while completing a meaningful activity until such time they are able to train remotely.

## **Federal Holiday Leave**

Sub-recipient shall:

- 1) Give participants an opportunity to reschedule work time when a participant cannot work due to the closure of a host agency on a Federal Holiday.
- 2) Pay a participant for hours not worked due to the closure of a host agency on a Federal Holiday, when compensation in the form of rescheduled work time is not feasible.

## **Sick Leave**

Sub-recipients shall:

- 1) Provide necessary sick leave in the form of rescheduled work time.
- 2) Provide monetary compensation for necessary sick leave, up to 20 hours per program year when rescheduling work time is not feasible.

## **Supportive Services**

Sub-recipients shall:

- 1) Provide supportive services, as needed, to help participants partake in their community service assignment and to obtain and retain unsubsidized employment.
- 2) Establish criteria to determine when participants will receive supportive services, including after obtaining unsubsidized employment.
- 3) Provide directly or arrange for supportive services identified on a participant's IEP, as defined.
- 4) Follow up with placed participants throughout the first twelve months of placement to determine if the participant has the necessary supportive services to remain employed and to provide or arrange services as needed.

## **Training Opportunities**

- 1) A sub-recipient may arrange skill training for a participant beyond the training provided in a community assignment.
  - a) The training must:
    - i) Be realistic and consistent with the participant's IEP,
    - ii) Make the most of the participant's skills and talents, and
    - iii) Prepares the participant for unsubsidized employment.

- b) Training may be provided:
  - i) Before or during a community service assignment
  - ii) In the form of:
    - (1) Lectures
    - (2) Seminars
    - (3) Classroom instruction
    - (4) Individual instruction
    - (5) On-the-job experiences
    - (6) Through the sub-recipient or an arrangement with other workforce development programs such as WIOA

- 2) When appropriate and necessary a sub-recipient may pay for:
  - a) Instructors
  - b) Classroom rental
  - c) Training supplies
  - d) Materials
  - e) Equipment
  - f) Tuition

Sub-recipient should inform each participant of host agency's expectations and the participants role in obtaining the skills/training needed to obtain unsubsidized employment.

Sub-recipient should provide access to resources available in the community and the expectations of the use of those resources, including the following:

- a) Number of job fairs to attend (at least one per quarter)
- b) Applications to be submitted monthly
- c) Classes regarding skill building (example: interview skills, resume, Microsoft classes, etc.)

### ***Community Service Assignment Rotation***

Sub-recipients shall:

- 1) Place participants in a community service assignment and ensure training identified in a participant's IEP is provided.
- 2) Rotate participants to a different community service assignment, when appropriate and in accordance with a participant's IEP.
- 3) Prior to rotating a participant to a different community service assignment:
  - a) Provide counseling to the participant on his progress in meeting the goals and objectives identified in the participant's IEP
  - b) Document whether the Host Agency is meeting the participant's training needs,
  - c) Document that the training by the current Host Agency is assisting the participant in obtaining unsubsidized employment
  - d) Document that the new host agency assignment meets the most effective use of the participant's skills and talents
  - e) Document the rotation in the participant's IEP
- 4) The determination of a community service assignment rotation shall occur:
  - a) During a participant's updated assessment; or
  - b) When deemed appropriate by the SCSEP Coordinator.

## ***Terminations***

A sub-recipient shall:

- 1) Provide a participant, when enrolled and at each subsequent recertification, a written copy and verbal review of policies for involuntary termination of a participant in accordance with Title V of OAA and amendments of 2019 and the SCSEP Final Rule (Sept 2010).
- 2) Apply the involuntary termination policy fairly and equitably when terminating any participant.
- 3) Not terminate a participant from SCSEP solely on the basis of their age nor impose an upper age limit for participation in SCSEP.
- 4) Provide participants with progressive discipline and an opportunity for corrective action before a formal termination notice is issued, unless the participant committed a serious violation, such as violence, threats to health or safety, or fraud.
- 5) Provide a thirty (30) day written notice explaining the reason(s) for termination, date of exit, and the right to appeal the decision.
- 6) Terminate a participant thirty (30) days after providing a written notice, for the following reasons:
  - a) Knowingly providing false information during enrollment or recertification
  - b) Being incorrectly determined eligible at enrollment or recertification
  - c) Being determined ineligible at recertification
  - d) Reaching the 48-month individual durational limit
  - e) For Cause, including the refusal of job offers or referrals consistent with a participant's IEP and there are no extenuating circumstances hindering the participant from moving to unsubsidized employment
  - f) Becoming employed during enrollment.

### **Termination for Knowingly Providing False Information**

If, at any time, a sub-recipient determines that a participant knowingly provided false information to qualify for SCSEP, the participant will be removed immediately from the host agency and placed on leave without pay and immediately sent a thirty (30) day notice of termination letter and with grievance procedures attached.

### **Termination Due to Incorrect Eligibility Determination at Enrollment or Recertification**

If, at any time, a sub-recipient determines a participant is incorrectly determined eligible for SCSEP, through no fault of the participant, the participant will be sent a thirty (30) day notice of termination letter and grievance procedures. The participant will be allowed to continue the host agency assignment during the thirty (30) day notice period.

### **Termination Due to Ineligibility Determination at Recertification**

If, at any time, a sub-recipient determines a participant is no longer eligible for SCSEP, the participant will be sent a thirty (30) day notice of termination letter and grievance procedures. The participant will be allowed to continue the host agency assignment during the thirty (30) day notice period.

### **Termination Due to Individual Durational Limit**

A participant will be terminated upon reaching the 48-month individual durational limit. Twelve (12) months prior to reaching the individual durational limit, the sub-recipient will begin the transitional planning process.

The participant will be sent a thirty (30) day notice of termination along with grievance procedures within thirty (30) days of reaching the individual durational limit. The participant will be allowed to continue the host agency assignment during the thirty (30) day notice period.

### **Termination for Cause**

A sub-recipient may terminate the participant for willful misconduct, including intentional violations of reasonable program rules and directives or for failure to comply with the terms of the Individual Employment Plan (IEP) excluding extenuating circumstance, thirty (30) days after it has provided a written notice and notification of the right to appeal for the following reasons:

- 1) Failure to cooperate in providing program eligibility information at recertification.
- 2) Refusal or failure to perform assigned duties without good cause.
- 3) Unauthorized absences from the host agency/training site without good cause or proper notice or a pattern of unexcused tardiness.
- 4) Falsification of time sheets or other official records.
- 5) Reveal any confidential information obtained during their training.
- 6) Insubordination, which is, intentionally refusing to carry out the direction or instructions of a host agency supervisor or SCSEP staff without good cause.
- 7) A pattern of consistent and conscious failure to follow the steps mutually agreed upon and outlined in the IEP without good cause, including:
  - a) Refusal of three job offers and /or referrals to job openings
  - b) Failure to complete required job searches
  - c) Refusal to accept a different training site assignment
  - d) Refusal to accept one or more IEP-related training opportunities
  - e) Refusal to register and follow up with the local One-Stop Career Center related to unsubsidized employment

### **Immediate Removal from Host Agency for Cause**

In cases of serious violations, the participant may be removed immediately from the host agency and placed on leave without pay during the thirty (30) day notice period. Participants may be terminated for the following reasons:

- 1) Committing or a threat to commit acts of violence.
- 2) Engage in inappropriate, disrespectful, demeaning, and abusive behavior such as, loud, abusive, profane, foul, obscene, vulgar, crude, insulting, or threatening language, inappropriate jokes or gestures, discriminatory slurs, any type of inappropriate sexual comments.
- 3) Workplace harassment or discrimination on the basis of sex, race, color, religion, national origin, age, marital status, or disability.
- 4) Stealing or a party to theft of any property owned by the host agency, sub recipient, department, or their staff, visitors, or others.
- 5) Illegal use, possession, or selling of prescription medication, alcohol, and/or illegal drugs or narcotics, while performing the host agency assignment or while carrying out objectives required by the IEP.
- 6) Reporting for work under the influence of intoxicants.
- 7) Conviction of a felony or of any criminal or any criminal drug statute for a violation occurring in the workplace while on or off duty, or while on duty away from the workplace.

## ***Progressive Discipline***

Sub-recipients have the right to move directly to termination process for serious violations, such as violence, threats to safety or health, or fraud, but normally the termination process will include progressive discipline. A participant will be given an opportunity to correct his or her behavior or conduct or comply with the IEP requirements.

The following steps for corrective action will be taken:

- 1) *Verbal warning* including a description of the incident or behaviors that need correcting and the steps required to correct the issue or behavior within thirty (30) days.
- 2) *Written warning* including documentation of the incident or behaviors that need correcting and the steps required to correct the issue or behavior within forty-five (45) days. A copy of documentation will be sent to the participant and a copy put in the participant's file.
- 3) *Corrective action* including documentation of the incident or behaviors that need correcting and the steps required to correct the issue or behavior within ninety (90) days. The sub-recipient will provide a written progress report, and a copy of documentation will be sent to the participant and a copy put in the participant's file.
- 4) *Termination* wherein sub-recipient will write a termination letter explaining the reason(s) for the termination and the participant's right to appeal the decision.

Depending on the incident or behavior report the participant may be allowed to continue at the host agency during the thirty (30) day notice period.

## ***Grievance Procedure***

A sub-recipient, in accordance with 20 CFR Part 641, Section 641.910, must:

- 1) Make their grievance procedures available to applicants, employees, and participants.
  - a) These procedures must be used to resolve complaints arising between the grantee, employees of the grantee, sub-recipients, and applicants or participants, and
  - b) Must be implemented fairly and consistently.
- 2) Participants and employees must be informed of the formal grievance procedures at the time of enrollment or hire and the importance of following these procedures exactly to ensure compliance with federal requirements.
  - a) During participant orientation, intake staff must discuss the grievance procedures and give each participant a copy of the procedures, and
  - b) Documentation of all adverse actions and steps to resolve complaints must be maintained.
- 3) A participant may file a grievance for the following reasons:
  - a) Denial of eligibility at application and recertification
  - b) Denial of paid training or supportive services
  - c) Disputes over wages, work hours, assignments, individual employment plans, working conditions, approved breaks, compensation for necessary sick leave and/or federal holidays
  - d) Any disciplinary actions
  - e) All termination, including individual durational limits
  - f) Reduction in work hours
  - g) Other areas as deemed appropriate



- 4) A participant who has a complaint should schedule a meeting with the local SCSEP coordinator to discuss the complaint and possible immediate remedies for resolution without going through the formal grievance procedures.
  - a) Sub-recipient staff must respond to the informal complaint immediately, but no later than five (5) business days after receiving the complaint.
  - b) The sub-recipient or the sub-recipient's authorized representative must meet with the individual in person to negotiate an informal resolution.
- 5) If the participant is dissatisfied with the informal resolution, the sub recipient's authorized representative must inform the participant in writing of his or her right to file a formal grievance.
  - a) The complainant should submit his/her request for a formal grievance in writing within ten (10) days of declining the informal resolution regarding the complaint.
  - b) He or she must be provided written instructions for filing a formal grievance.
- 6) Sub-recipient staff must respond to the written grievance should take the following actions:
  - a) Document the date the grievance was received.
  - b) Send a certified notice to the complainant at the registered address with the date, time, and location of the formal meeting.
  - c) Conduct a formal meeting within ten (10) business days of receiving the written request from the complainant to attempt to resolve the grievance.
  - d) Provide a written decision to the complainant within three (3) business days after the formal meeting with a statement of the intended actions to be taken, the reason(s) for the intended action, and an explanation of the process for requesting a state administrative hearing.
- 7) Notify the participant that a request for an administrative hearing may be filed with the ACLS Bureau, in writing and postmarked or hand-delivered to the address below within thirty (30) business days after the formal meeting.
  - a) A statement must also be included that the individual may represent him or herself or use legal counsel, a relative, a friend, or other qualified representative in the requested review proceedings.
  - b) In any administrative hearing, the agency shall conduct the hearing as soon as possible and give notice of the hearing to all parties less than twenty (20) days in advance of the scheduled date for the hearing.
  - c) The request for an administrative hearing must be submitted to the: SCSEP Program Manager

Bureau of Aging, Community Living, and Supports  
 Michigan Department of Health and Human Services  
 400 S. Pine Street, PO Box 30676  
 Lansing, MI 48933

- d) The decision of the Administrative Hearing Officer is final unless the complainant alleges the grantee grievance procedures were not followed, or allegations of violations of federal law, which cannot be resolved within sixty (60) days as a result of the grantee's procedures. In this case an appeal may be filed within 30 calendar days to:

Director, Division of National Programs Tools, and Technical Assistance  
 Office of Workforce Investment  
 Employment & Training Administration  
 United States Department of Labor  
 200 Constitution Ave. NW,  
 Room C4510 Washington, DC 20210  
 (202) 693-3045  
[grants.scsepdocs@dol.gov](mailto:grants.scsepdocs@dol.gov)

- e) Allegations of discrimination in violation of civil rights laws must be filed with:  
Director of the Civil Rights Center  
U.S. Department of Labor  
Room N-4123  
200 Constitution Avenue, NW  
Washington, D.C. 20210

### ***Host Agency***

Sub-recipients shall:

- 1) Develop and implement methods for recruiting new host agencies to provide a variety of training options that will enable participants to increase their skill level and transition to unsubsidized employment.
- 2) Provide SCSEP overview to all host sites, emphasizing the goal of unsubsidized employment.
- 3) Review components of participant employment plans with host site to familiarize host site staff with the expectations typical for SCSEP participants.
- 4) Meet with host sites monthly, both individually and then jointly with participants, to monitor the training plan and needs of both the individual and the host site agency.
- 5) Host agencies must be designated 501(c)(3) organizations or public agencies.
- 6) Monitor to assure adequate supervision of participants at host agencies.
- 7) Monitor to assure host agencies provide safe and healthy working conditions.

### ***Host Agency Orientation***

When individuals are selected for participation in the SCSEP, the sub-recipient is responsible for providing orientation, including:

- 1) Project goals and objectives
- 2) Community service assignments
- 3) Training opportunities
- 4) Available supportive services
- 5) The availability of a of free physical examination
- 6) Participant rights and responsibilities
- 7) Permitted and prohibited political activities
- 8) SCSEP policies and procedures
- 9) Role of supervisors
- 10) Evaluation of participant progress
- 11) Maximum individual durational policy
- 12) Provision of safe working safety assessment
- 13) Documentation requirements
- 14) Termination policies
- 15) Grievance procedures

## ***Role of Supervisors***

Sub-recipients shall ensure that Host Agency Supervisors:

- 1) Have a clear understanding of project goals and objectives of the SCSEP
- 2) Provide feedback regarding their evaluation of the participant's progress
- 3) Document the requirements of the CSA
- 4) Ensure the training outlined in the participant's IEP is provided
- 5) Ensure the participant has the training and resources necessary to perform assigned tasks
- 6) Document and communicate any reprimands or adverse action
- 7) Provide a method for participants to track their time at the Host Agency
- 8) Ensure that participants are paid for all volunteer activity
- 9) Has established written policies relating to:
  - a) Federal Holiday leave
  - b) Sick leave
  - c) Approved breaks
  - d) Grievance procedures
  - e) Termination policy

## ***Maintenance of Effort***

A Host Agency shall not:

- 1) Reduce the number of employment opportunities or vacancies that would otherwise be available to individuals who are not SCSEP participants.
- 2) Displace currently employed workers including partial displacement, such as, reduction in non- overtime work, wages, or employment benefits.
- 3) Impair existing contracts or result in the substitution of federal funds for other funds in connection with work that would otherwise be performed.
- 4) Assign participants to perform the same work or substantially the same work as that performed by an individual who is on layoff.

## ***Provisions of Safe Working Environment***

Sub-recipients must monitor host agency sites annually to ensure:

- 1) The safety of participants at host agency sites, and
- 2) Host Agencies have safety procedures and policies in place.

## ***Administrative Costs***

Sub-recipient's administrative costs shall not exceed 13.5 percent of the SCSEP funds received for a Program Year. Administrative costs are that allocable portion of necessary and reasonable allowable costs associated with:

- 1) Performing general administrative and coordination functions including:
  - a) Accounting, budgeting, financial, and cash management functions
  - b) Procurement and purchasing functions
  - c) Property management functions
  - d) Payroll functions
  - e) Coordinating the resolution of findings arising from audits, reviews, investigations, and incident reports

- f) Audit functions
- g) General legal services functions
- h) Preparing administrative reports
- i) Other activities necessary for general administration of government funds and associated programs
- 2) Oversight and monitoring responsibilities related to administrative functions.
- 3) Costs of goods and services used for administrative functions of the program, including goods and services such as:
  - a) Rental or purchase of equipment
  - b) Utilities
  - c) Office supplies
  - d) Postage
  - e) Rental and maintenance of office space
- 4) Travel costs incurred for official business in carrying out administrative activities or the overall management of the program.
- 5) Costs of information systems related to administrative functions, for example:
  - a) Personnel
  - b) Procurement purchasing
  - c) Property management
  - d) Accounting, and payroll systems development
  - e) Operating costs of such systems
- 6) Costs of technical assistance, professional organization membership dues, and evaluating results obtained by the projected against stated objectives.

### ***Programmatic Cost Activities***

Sub-recipients must assign participants' wage and benefits costs and other participant costs to programmatic activity cost category. Programmatic activity costs include, but are not limited to, the costs of the following functions:

- 1) Participant wages, such benefits as are required by law, the costs of physical examinations, compensation for scheduled work hours during which a host agency is closed for a federal holiday, and necessary sick leave that is not part of an accumulated sick leave program
- 2) Seventy-five (75) percent of the SCSEP funds provided must be used to pay for wages and benefits
- 3) Outreach, recruitment, and selection, intake, orientation, assessment, and preparation and updating IEPs
- 4) Participant training in accordance with 20: CFR 641.540
- 5) Job placement assistance, including job development and job search assistance, job fairs, job clubs, and job referrals as defined by 20 CFR 641.535
- 6) Participant supportive services as defined

### ***Other Participant Cost***

Functions and related costs allowable, and that shall be assigned to this cost category are as follows:

- 1) Reasonable costs to instructors, classroom rental, training supplies, materials, equipment, and tuition provided in a classroom setting or under other appropriate arrangements
- 2) Job placement assistance, including job development and job search assistance

- 3) Supportive services, including the 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 service
- 4) Outreach
- 5) Recruitment and selection
- 6) Intake orientation and assessment

### ***Fiscal and Project Performance Monitoring and Reporting Requirements***

Accurate data shall be entered daily and submitted by the 15th of the month following the end of each quarter. (October 15th, January 15th, April 15th, and July 15th) to SPARQ, as required.

- 1) Those capturing and recoding data shall be familiar with the latest instructions for data collection, including Department of Labor administrative issuances, e.g., Older Workers Bulletins, TEGLs, Data Collection Handbook, and internet postings.
- 2) Safeguard personal identification numbers (PINs).
- 3) Notify the SCSEP national office at the Department of Labor immediately in the event of any potential security breach of personal identifying information.
- 4) Users must comply with all SPARQ access and security rules.
- 5) Turn over complete data files in using the DAIL and SCSEP database (SPARQ), as well as hard copy case files, when the second party ceases to administer SCSEP.

### ***Sub-recipient Responsibilities***

A sub-recipient shall:

- 1) Provide SCSEP services throughout the geographic area under its area plan or proposal
- 2) Adhere to provisions set forth in the OAA and federal regulations promulgated under the Act
- 3) Implement and carry out the SCSEP in accordance with provisions of a sub-recipient agreement
- 4) Enroll and serve minority eligible participants in proportion to minority numbers within the geographical jurisdiction of the program
- 5) Recruit and determine eligibility of SCSEP participants:
  - a) Conduct recruitment activities on a continual basis, with no less than six new contacts per month by each case manager
  - b) Conduct recruitment activities in a wide range of venues, including Senior Centers, churches, local workforce centers, schools, colleges, universities, and other community-based organizations or businesses serving potentially eligible individuals in their communities
  - c) Successfully meet participation allotments:
    - i) No county will fail to meet the participation allotments for more than six (6) months.
    - ii) Sub-Awardee will immediately contact Commerce staff if any county enrollment goes unfilled for more than six (6) months.
  - d) Maintain a waiting list of eligible participants to ensure successful levels of enrollment in allocated slots.
  - e) Assure MI Works! registration in the Pure MI Talent Connect.
  - f) Adhere to ACLS Bureau Recruitment procedures for the SCSEP program.

- 6) Recruit and select host agencies:
  - a) Recruit host sites based on their ability to provide relevant training and work experience (i.e., developed skills must be marketable).
  - b) Establish adequate number of host sites per county based on the participant allotments.
- 7) Adhere to ACLS Bureau Recruitment Procedures for SCSEP.
- 8) Prevent host agency from reducing the number of employment opportunities or vacancies that would be available to an individual not participating in the program.
- 9) Provide supervision for SCSEP participants.
- 10) Assist a participant with supportive services identified on the participant's IEP.
- 11) Provide participant wages and benefits.
- 12) Coordinate with the local Workforce Development Board initiatives and programs including co- enrollment of SCSEP participants.
- 13) Monitor for a participant's safe and healthy working conditions.
- 14) Permit staff of the ACLS Bureau and subrecipients to monitor and evaluate provided SCSEP services.
- 15) Monitor that each paid or voluntary staff member meets qualification and training of SCSEP.
- 16) Develop a policy and procedure for a referral for service to other programs and services in accordance with a participant's IEP.
- 17) Work with a participant to ensure the participant is:
  - a) Receiving SCSEP services, and
  - b) Taking actions designed to help achieve the participant's goals.
- 18) Contact private and public employers directly or through the One-Stop delivery system to develop or identify unsubsidized employment opportunities.
- 19) Encourage host agencies to assist a participant in the participant's transition to unsubsidized employment, including unsubsidized employment in the host agency.
- 20) Adhere to other sub-recipient requirements set forth in this administrative regulation; and
- 21) Submit required SCSEP data quarterly to the Department of Labor.
- 22) Submit required SCSEP data and information to the ACLS Bureau.
- 23) Adhere to performance measures and indicators as determined by the U.S. Department of Labor annually.
- 24) Participate in U.S. DOL teleconferences and trainings as requested by the Aging & Adult Service Agency.
- 25) Participate in ACLS Bureau trainings and/or teleconferences as scheduled by the ACLS Bureau.
- 26) Abide by the SCSEP State Terms and Conditions distributed by USDOL as part of the SCSEP Award Notice.
- 27) Incorporate the U.S. Department of Labor (U.S. DOL) logo and the ACLS Bureau logo identifiers on all forms, pamphlets, documents, and electronic communications pertaining to the administration of SCSEP.

### ***Equitable Distribution***

Sub-recipients must manage slot allotment within equitable distribution guidelines, to the extent feasible, so that potential participants have equal access to the program and adhere to ACLS Bureau directives as it relates to Recruitment Procedures for SCSEP.

## ***Over Enrollment***

Sub-recipients must manage over-enrollment to minimize impact on participants and avoid layoffs and adhere to ACLS Bureau directives as it relates to Recruitment Procedures for SCSEP.

## ***Collaboration and Leveraged Resources***

Sub-recipients must collaborate with other organizations to maximize opportunities for participants to obtain workforce development, education, and supportive services to help them move into unsubsidized employment. These organizations may include, but is not limited to:

- 1) Workforce Development Boards
- 2) One-Stop Career Centers
- 3) Vocational rehabilitation providers
- 4) Basic education and literacy providers
- 5) Community colleges.

## ***Match Requirements***

- 1) The Department of Labor will pay no more than 90 percent of the total cost of activities carried out under a SCSEP grant.
- 2) Sub-recipients shall:
  - a) Determine the non-Federal share of costs in accordance with 29 CFR 97.24 for governmental units, or 29 CFR 95.23 for nonprofit and commercial organization.
  - b) The non-Federal share shall be in cash or in kind. In determining the amount of the non-Federal share, the Secretary may attribute fair market value to services and facilities contributed from non-Federal sources. (OAA Sec 502(c)(2)).
  - c) Follow the uniform allowable cost requirements that apply to their type of organization.
  - d) Allowable costs for State, local, and Indian tribal governments must be determined under 2 CFR Part 225, "Cost Principles for State, Local, and Indian Tribal Governments (OMB Circular A- 87)."
  - e) Allowable costs for nonprofit organizations must be determined under 2 CFR Part 230, "Cost Principles for Non-Profit Organizations OMB Circular A-122). "

## ***Maintenance of Files and Privacy Information***

A sub-recipient shall:

- 1) Maintain participant files for three program years after the program year in which all follow-up activity for a participant is completed.
- 2) Securely store and limit access to participant records to appropriate staff in order to safeguard personal identifying information.
- 3) Securely store separately from all other participant records and limit access of medical records to authorized staff for authorized purposes.
- 4) Provide safeguards to preclude tampering with electronic media are established including personal identification numbers or PINS.
- 5) Notify the national office at the Department of Labor immediately in the event of any potential security breach of personal identifying information, whether electronic, paper, or equipment is involved.
- 6) Comply with and ensure that authorized users under its grant comply with all SPARQ access and security rules.

## **Documentation**

- 1) Sub-recipients shall maintain documentation of all forms and documents used to determine a participant's:
  - a) Eligibility determinations
  - b) Income
  - c) Waiver of physical examinations by participants
  - d) Recertification
  - e) Community service assignment
  - f) Unsubsidized employment
  - g) Complaint procedures
  - h) Terminations and reasons for terminations
  - i) Records of grievances and outcomes
  - j) Records required for data validation
  - k) All documents required by Dept. of Labor, ACLS Bureau, or the sub-recipient to implement this project.
- 2) At a minimum, a participant file shall include:
  - a) Participant Form
  - b) Community Service Assignment Form
  - c) Exit Form
  - d) Unsubsidized Employment Form

## **Data Collection and Reporting**

Sub-recipient shall:

- 1) Utilize *SCSEP Data Collection Handbook* to define data sets.
- 2) Enter data in SPARQ on a real time basis.
  - a) Accurate and timely data entry is important for meeting SCSEP performance goals.
  - b) ACLS Bureau and the Sub-Recipient Lead will review files quarterly for accurate record keeping per the *SCSEP Data Validation Handbook*.
- 3) Produce records of hours worked and wages paid for each participant.
- 4) Store hours worked and wages paid in each participant's file.
- 5) Maintain detailed Case Notes consisting of the caseworker's own documentation of his or her activities.
- 6) Case notes can be based on information derived in person or by telephone. Every case note used to validate data must include the following three foundation elements along with the specific facts being documented:
  - a) Case notes must include:
    - i) The name of the person who is the source of the information,
    - ii) His or her phone number, and
    - iii) The person's organization and title or relationship to the participant, whichever is appropriate.
  - b) Case notes must include the name or initials of the person making the note.
  - c) Case notes must contain the date on which the information was obtained, and the date on which it was recorded, if different.
- 7) Case notes can be stored in any format, including hand-written notes, standardized forms, or electronic records.
- 8) Case notes need to provide enough information so that a reasonable person could make a determination as to specific events or decisions.



- 9) All official records require 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 (3) program years after the end of the program year in which all follow-up activity is ended.

### ***Political Patronage***

Sub-recipients shall not:

- 1) Select, reject, promote, or terminate individuals based on political affiliations.
- 2) Select or advance enrollees as a reward for political services or as a form of political patronage, whether or not the political service or patronage is partisan in nature shall be prohibited.
- 3) Select based on political affiliation.

### ***Political Activities***

Sub-recipients shall not:

- 1) Involve political activities in the overall operations of their projects. (Allowable and unallowable political activities including lobbying and the Hatch Act are covered in the 20 CFR 641.836.)

### ***Nondiscrimination***

No person shall on the grounds of race, color, religion, gender, gender identity, sexual orientation, national origin, disability, or age (except where age is a valid consideration) be excluded from participation in, be denied benefits of, or be subjected to discrimination in connection with any program or activity funded in whole or in part with funds made available under Title V.

### ***Unionization***

Sub-recipients shall not use funds provided under the Act or regulations to assist, promote, or deter union organizing.

### ***Nepotism***

Sub-recipients shall not:

- 1) Hire (and no host agency shall be a worksite for) a person in an administrative capacity, staff position, or community-service assignment funded under this project if a member of that person's immediate family is engaged in an administrative capacity for that sub-recipient or host agency.
- 2) For the purposes of this section, the following definitions shall apply:
  - a) Immediate family means wife, husband, son, daughter, mother, father, brother, sister, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, father-in-law, aunt, uncle, niece, nephew, stepparent, stepchild, grandparent, grandchild; and
  - b) Engaged in an administrative capacity includes those persons who' in the administration of projects, subprojects, or host agencies, have responsibility for the selection of enrollees from among eligible applicants.

## ***Lobbying***

Sub-recipients must comply with the restrictions on lobbying codified in the Department of Labor's regulation at 29 CFR part 93 and discussed in SCSEP regulation 20 CFR 641.850

## ***Bureau of Aging, Community Living, and Supports Responsibilities***

The Bureau of Aging, Community Living, and Supports shall:

- 1) Develop and implement the State SCSEP plan with the assistance of sub-recipients and National SCSEP providers.
- 2) Have an equitable distribution of authorized positions in the aggregate.
- 3) Adhere to provisions set forth in the Older Americans Act and federal regulations promulgated under the Act.
- 4) Enroll and serve minority eligible participants in proportion to the minority eligible participants' numbers within the geographical jurisdiction of the program.
- 5) Provide a sub-recipient with:
  - a) Technical assistance related to SCSEP.
  - b) SCSEP information required to accomplish the sub-recipient's agreement responsibilities; and
  - c) Quarterly SCSEP training.
- 6) Monitor the performance of the sub-recipient for compliance with the terms, conditions, and performance criteria included within the sub-recipient agreement.
- 7) Submit required SCSEP narrative reports quarterly to the Department of Labor.
- 8) Review performance measures on a quarterly basis and relay that information to sub-recipient.
- 9) Allocate SCSEP funds to a sub-recipient
- 10) Monitor the sub-recipient:
  - a) For use of the allocated funds; and
  - b) Ensure non-federal share of total SCSEP costs are used for in-kind services at a fair market value to services and facilities contributed
- 11) Adhere to performance measures and indicators as determined by the U.S. Department of Labor annually.

## ***Appendices***

Policy and Procedures

Recruitment Policy

Grievance Policy

Termination Policy

Disclaimer on Materials Policy

Referrals to One Stop Policy

Emergency Leave Policy Virtual

Training Policy Monitoring Tool

Job Log Form

FSR Form

Budget Form