

Senior Community Service Employment Program (SCSEP)

PROGRAM OPERATIONS

Manual

State of Nevada

Revised July 1, 2016

FOREWORD

The SCSEP Program Operations Manual provides official guidance for the operation of local Senior Community Service Employment Projects funded by the State of Nevada, Department of Health and Human Services, Aging and Disability Services Division. This includes SCSEP projects operated by the sub recipient.

The manual is based on the following legislative and regulatory mandates:

- Title V of the Older Americans Act of 1965, as amended,
- Senior Community Service Employment Program (SCSEP) Federal Regulations,
- Department of Labor Older Worker Bulletins and Training and Employment Guidance Letter (TEGL),
- State of Nevada Grant Agreement with the Department of Labor
- Workforce Innovations and Opportunity Act (WIOA)

The operational policy, procedures, and standards outlined in this manual should be followed and enforced by the sub recipient. The local SCSEP State Manager and staff members designated by the sub recipient must be familiar with the contents of this manual and are responsible for implementing its provisions. The local State Manager is responsible for training staff on updates to the manual as directed by Aging and Disability Services Division.

This manual is effective **July 1, 2016**. In case of any perceived discrepancy between this manual and other materials, the State SCSEP Director should be consulted for clarification.

The Program Operations Manual is comprised of six (6) parts and six (6) appendices which include:

- **Part One: Introduction to SCSEP**
- **Part Two: Performance Standards**
- **Part Three: Overview of Program Operations**

- **Part Four: Policy and Procedures for Program Operations** which contains the policies, procedures, standards and instructions for recruiting, assessing, and placing participants and developing high quality training sites
- **Part Five: Management Information System**, which describes record keeping requirements
- **Part Six: Financial Management Information**

Appendices with copies of forms, form instructions, and essential program information are attached.

All staff members involved with the SCSEP should be familiar with the SCSEP Program Operations Manual. Certain staff members may need to refer to particular sections of the manual on a regular basis; it has been designed so that specific sections may be reproduced and distributed as necessary.

This Operations Manual is an evolving document, subject to revision as legislative and policy changes occur. The Division will send the SCSEP sub recipient State Manager a memorandum announcing change(s) when legislative or policy changes require the manual be updated. Copies of the updated manual pages, with revision dates, will accompany the memorandum. (These will be distributed via email)

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Appendices

The Appendices have been separated from the main text of the SCSEP Program Operations Manual into independent sections for convenience in finding specific forms and instructions as follows:

- Appendix A** Contains sample forms with instructions that SCSEP projects are required to use to document participant eligibility, services, training, and other activities. Forms for training site files are also included. These forms have been approved and may be reproduced and used in daily operations without prior approval.
- Appendix B** Contains forms and instructions for documents for program and fiscal management.
- Appendix C** Contains the SCSEP Data Collection Handbook, the SCSEP Quarterly Progress Report Handbook, Data Validation Handbook, sub recipient Participant and Host Site Agency Handbook and other operations materials
- Appendix D** Contains the SCSEP State Monitoring Forms
- Appendix E** Contains information on federal regulations including political activities and the Senior Community Service Employment Program (SCSEP), the Age Discrimination Act, Americans with Disabilities Act, the Hatch Act, WIOA and the Drug-Free Workplace Provisions.
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 Appendix F: Glossary

SCSEP Glossary

State of Nevada
SCSEP PROGRAM OPERATIONS MANUAL

I. Introduction

A. The Senior Community Service Employment Program

The Senior Community Service Employment Program (SCSEP) is a participant-centered program designed to provide and promote useful work training experience opportunities for economically disadvantaged persons age 55 or older and to facilitate the transition of job-ready participants into unsubsidized employment in public organizations and private-sector businesses and industries.

II. Performance Standards

A. Older Americans Act

SCSEP activities are authorized under Title V of the Older Americans Act of 1965, as amended, the Employment and Training Administration (ETA), Department of Labor (DOL) provides grants to seventeen national sponsors, the 50 State governments, and most of the U.S. territories.

B. Reauthorization and Funding Formula

The amended Older Americans Act has significant changes for Title V that authorizes the Senior Community Service Employment Program (SCSEP) and its operations. The OAA Amendments became effective upon enactment. The Senior Community Services Employment Program; Final Rule and Regulations; 20 CFR Part 641 was published on September 1, 2010. Final Rules and Regulations for the 2016 amendments are pending, but strengthen the partnership between SCSEP and WIOA.

The amended Title V retains the structure of the program under which the national nonprofit agencies and organizations as well as States receive grants to operate SCSEP projects. It retains the current funding allocation that distributes 78% of funds to national nonprofit agencies and organizations and 22% to State grantees. As funding increases above the current fiscal year level, proportionately more funding is directed to State grantees.

C. Performance Accountability Requirements

The SCSEP requires that a Performance Accountability System hold each Grantee (National

Sponsors and States) accountable for attaining quality levels of performance with respect to core performance measures.

For each Grantee, the Secretary is authorized to establish performance measures designed to promote continuous improvement in performance. Performance measures consist of indicators of performance and levels of performance applicable to each indicator.

Core Performance Indicators Measures

SCSEP has six core performance measures that are defined below:

- ***Community Service*** – The number of hours of community services in the reporting period divided by the number of hours of community service funded by the grant minus the number of paid training hours in the reporting period e.g. Total hours paid from checks with pay dates from July 1 to June 30, divided by (21 hours times 52 weeks times modified positions) minus training hours paid
- ***Entered Employment*** – Of those not employed at the time of participation, the number of participants employed in the first quarter after the exit quarter divided by the number of participants who exit during the quarter e.g. The number of participants employed in the first quarter after the quarter they exit the program, divided by the total participants who exited during the same quarter of exit minus exit exclusions. (Participants must have earned at least one dollar any time in the quarter after the quarter of exit.)
- ***Employment Retention*** – Of those participants who are employed in the first quarter after the exit quarter, the number employed in both the second and third quarters after the exit quarter divided by the number of participants who exit during the quarter e.g. The number of participants employed in the 1st, 2nd, and 3rd quarters after the quarters of exit, divided by the number of participants employed in the first quarter after the quarter of exit.
- ***Average Earnings*** –Of those participants who are employed in the first, second and third quarters after the quarter of program exit, total earnings in the second and third quarters after the exit quarter, divided by the number of exiters during the period e.g. Total earnings from quarters 2 and 3 of all participants employed in quarters 1, 2, and 3 after the quarter of exit divided by the total number of participants employed in the first quarter after quarter of exit minus self-employed and those enrolled prior to July 1, 2005.

- **Service Level** – The number of participants who are active on the last day of the reporting period or who exited during the reporting period divided by the number of modified community service positions. e.g. active participants on June 30 of the previous program year plus participants started from July 1 to June 30 of the current program year, divided by modified positions

- **Service to Most-in-Need** – Average number of barriers per participant e.g. the total number of Most-in-Need characteristics divided by the number of active participants. Barriers are defined as follows:
 - severe disability
 - frail
 - age 75 or older
 - old enough for but not receiving SS Title II
 - severely limited employment prospects and living in an area of persistent unemployment
 - limited English proficiency
 - low literacy skills
 - disability
 - rural
 - Veterans
 - low employment prospects
 - failed to find employment after using WIOA Title I
 - homeless or at risk of homelessness

Service to the Most-in-Need is determined by taking the total number of barriers reported during the reporting period divided by the number of participants who are active on the last day of the reporting period and those who exited during the reporting period.

Additional Performance Measures

- **Retention at 1 Year** – Of those participants who are employed in the first quarter after the exit quarter: the number of participants who are employed in the fourth quarter after the exit quarter divided by the number of participants who exit during the quarter e.g. The number of participants employed in the first and fourth quarters after the quarter of exit divided by the number of participants employed in the first quarter

after the quarter of exit. This measure extends the follow-up period to approximately 15 months after the date of exit. Only the exiters who entered employment are subject to this measure.

- ***Customer Satisfaction*** – This performance measure uses the American Customer Satisfaction Index to determine how satisfied employers, participants, and host agencies are with SCSEP. Staff will be responsible for giving the employers' satisfaction surveys to designated employers.

The DOL sends the participant and host agency customer satisfaction surveys directly to selected participants and host agencies

During the orientation process, staff must make participants and host agencies aware they may be surveyed by the DOL

- *Average ACSI for employers*
- *Average annual ACSI for participants*
- *Annual average ACSI for host agencies*

- ***Any other indicator of performance that the Secretary determines to be appropriate to evaluate services and performance***

The core indicators of performance and additional indicators of performance are applicable to each grantee without regard to whether the grantee operates the program directly or through sub recipient or agreements with other entities. Each program year, the Department of Labor will determine if grantees have met the established level of performance.

Determining Success

At the beginning of each program year the Department of Labor proposes a performance level for each core indicator, taking into account any statutory performance requirements, the need to promote continuous improvement in the program overall and in each grantee, the grantee's past performance, and the statutory adjustment factors.

Grantees may request a revision to the Department's initial performance level goal determination. The request must be based on data that supports the revision request. DOL may revise the performance level goal in response to the data provided.

Success will be based on an aggregate calculation of performance. The aggregate is calculated by

combining the percentage of goal achieved on each of the individual core indicators to obtain an average score. A score of 80 – 100 percent meets the performance level. A score of 100+ exceeds the performance level. All measures are equally important and there will be no weighting one over another. Sub recipient must balance program priorities to meet the performance level in all performance measures.

D. Consequences for Poor Performance

Once baseline performance levels are determined, the Secretary of Labor will take corrective action if a State Grantee does not attain levels of performance.

If the Grantee does not meet performance measures in the State for one program year, DOL will provide technical assistance and the Secretary will require the state to submit a Corrective Action Plan not later than 160 days after the end of the Program Year. The corrective action plan must detail the steps the State will take to meet the expected levels of performance in the next program year.

If DOL determines that the State fails to meet the expected levels of performance for 3 consecutive program years, DOL will require the State to conduct a competition to award the funds allocated to the State under §506 (e) of the OAA for the first full program year following DOL's determination. The State Grantee's new sub-recipient will be responsible for administering the SCSEP in the State and will be subject to the same requirements and responsibilities as the State Grantee.

DOL will annually evaluate, publish and make available for public review, information about the actual performance of each grantee with respect to the levels of performance, compared to expected levels of performance and the actual performance of each grantee with respect to the levels achieved for each of the additional indicators of performance. The results of DOL's annual evaluation will be reported to Congress.

E. Nevada Performance Requirements for Sub Recipient Agencies

The sub recipient shall have adequate administrative and accounting controls, personnel standards, evaluation programs and other policies as may be necessary to promote the effective use of funds and to comply with current Title V regulations, as well as other laws, OMB circulars and DOL guidance.

The State of Nevada will expect each sub recipient to meet the established Department of Labor performance measures.

In addition, the sub recipient is required to:

- Maintain Community Service Placement at the total assigned authorized position level
- Place participants in unsubsidized employment each year as established by the negotiated performance standards
- Keep spending on budget at the monthly-authorized spending levels established at one twelfth of the total budget.

F. Monitoring of Sub Recipient's Program and Financial Performance

The Division will conduct an annual fiscal and programmatic evaluation of each sub recipient. The Division's statewide Senior Community Services Employment Program (SCSEP) Director will conduct programmatic evaluations. Division Auditors from the Division's fiscal unit will conduct the fiscal evaluation. Evaluation criteria have been established and have been initiated to assess the sub recipient performance.

Department of Labor sanctions for not meeting performance measures will apply.

The performance guidelines, Older Americans Act amendments and the SCSEP Final Rule and Regulations, 20 CFR Part 641 form the basis for these criteria as well as the specific work plans contained in the Division's sub recipient agreement with the sub recipient. In addition, the following are applied as applicable:

- *Consolidated Appropriations Act, 2016 (Pub. L. 114-113);*
- *SCSEP Final Rule, Additional Indicator for Volunteering (77FR, 46556, Jan. 31, 2012)*
- *The Age Discrimination Act*
- *Age Discrimination in Employment Act (ADEA)*
- *The Americans with Disabilities Act of 1990*
- *Jobs for Veterans Act (JVA) (Pub. L. 107-288)*
- *Uniform Administrative Requirement: 2 CFR, Chapter II, Part 200 Sub Part B through D and 2 CFR 2900, Sub Part E through F*
- *Uniform Administrative Requirements : 2 CFR, Chapter II, Part 200.420 through 200.475*
- *29 CFR Part 96, 2 CFR, Part 93, Part 98 Sub Parts A through F, Part 31, Part 32, Part 35, Part 37, Part 25*
- *34 CFR Parts 361 and 463*

- *48 CFR, Part 31, 31.201 through 204*
- *49 CFR Part 25*
- *Workforce Innovation and Opportunity Act of 2014, 20 CFR Parts 676, 677, 678*
- *DOL SCSEP Data Validation Handbook*
- *DOL Performance Data Collection Approval (Office of Management and Budget No. 1205-0040)*
- *DOL Training and Guidance Letters (TEGLs)*
- *Workforce Innovation and Opportunity Act*

III. Overview of Program Operations

A. Mission Statement

The State of Nevada and its sub recipient will work with the Department of Labor and community agencies to help older adults obtain job training, increase their income, learn new skills and find jobs. SCSEP makes it possible for the State to promote the economic independence of older Americans by providing the opportunity for eligible participants to obtain training and unsubsidized employment.

To serve participants and their local communities, the SCSEP emphasizes **four primary mission goals**:

- (1) **To provide the opportunity** for older workers to gain economic self-sufficiency and independence.
- (2) **To provide gainful on the job training** through subsidized part-time work to low-income older adults
- (3) **To demonstrate how older workers can facilitate the delivery of community services** by placing them in human service positions; and
- (4) **To transition low-income unemployed older workers into high quality jobs** in the public, private, and non-profit sectors through training and job-finding assistance.

The primary focus of SCSEP will be to provide participants community service training and job placement. Training programs at community service host sites allow participants to participate in providing community service to local communities, prepares participants for unsubsidized positions and advance them toward economic independence.

Ineligible applicants will be referred to local American Job Centers and Workforce Innovations

Opportunity Act (WIOA) providers. SCSEP funds will not be used for individuals who only need job search assistance or job referral services.

Ineligible applicants may also be referred to the Aging and Disability Resource Centers or 211.

The SCSEP grantee and sub recipient is a required partner with the WIOA providers. The SCSEP sub recipient is required to have signed Memorandum of Understandings (MOU) with the local Workforce Investment Board.

SCSEP participants must be co-enrolled with a Nevada WIOA provider and receiving intensive services.

The State SCSEP grantee staff will facilitate, write and complete in cooperation with the sub recipient, national SCSEP grantees operating in the state and other required partners, the Four (4) Year SCSEP State Plan. The State SCSEP grantee staff will be responsible for updating the plan every two (2) years or as needed.

The SCSEP grantee is responsible for facilitating, writing and completing the annual Equitable Distribution Report in collaboration with the national SCSEP grantees operating in the state.

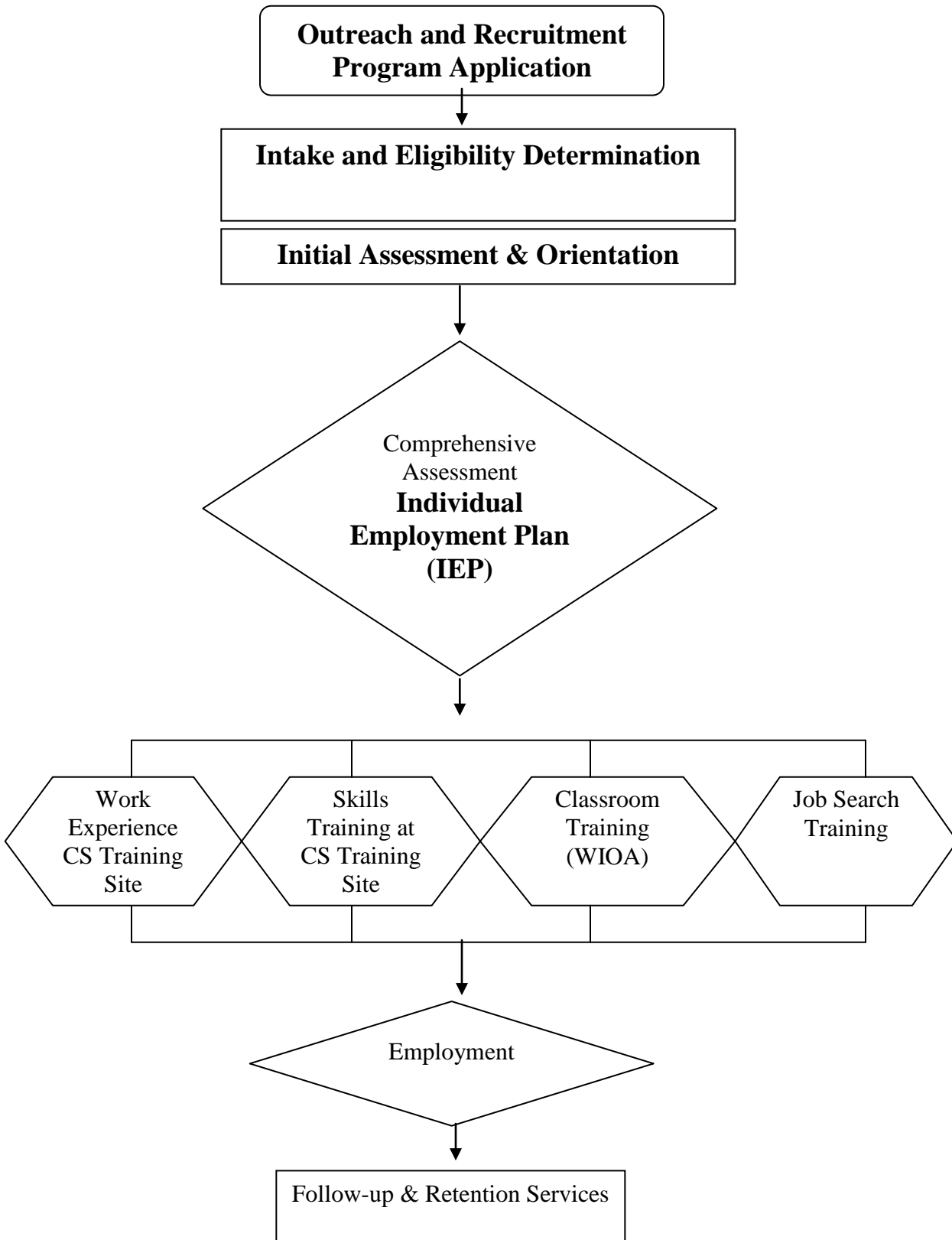
B. SCSEP Program Design

The administrative structure that the State of Nevada has established for SCSEP consists of one sub recipient, which is located in Southern Nevada. The sub recipient is a separate 501(c) (3) non-profit organization that receives a Notice of Grant Award to operate the SCSEP project under the guidelines established by the State in this policy manual, SCSEP Annual Agreement and the State of Nevada SCSEP grant application submitted to Employment and Training Administration, Department of Labor. Funding for this project flows from the Department of Labor to the State, and then to the sub recipient. The Governor of the State of Nevada delegates responsibility for SCSEP to the Aging and Disability Services Division. The State of Nevada, Aging and Disability Services Division, is responsible for monitoring this project to ensure that all legal and statutory requirements of SCSEP are met.

C. Participant Flow Chart

A SCSEP participant flow chart follows on the next page.

SCSEP Participant Flow Chart



IV. Policy and Procedures for Program Operations

A. Recruitment and Outreach

1. Purpose

The purpose of recruitment is to ensure that the maximum number of eligible older individuals will have an opportunity to participate in the SCSEP.

2. Requirements

The sub recipient shall make efforts to assure that the maximum number of eligible individuals have an opportunity to participate in the SCSEP. These efforts must include outreach to minorities, Native Americans, individuals with limited English proficiency and those with the greatest economic need, at least in proportion to their numbers in the area, taking into consideration, their rates of poverty and unemployment.

Priority will be given to the following individuals:

- (a) Those 65 years of age or older;
- (b) Have a disability;
- (c) Have limited English proficiency or low literacy;
- (d) Reside in a rural area;
- (e) Are veterans, or the spouse of veteran who died of a service-connected disability; 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 who meet program eligibility requirements under section 2 of the Jobs for Veterans Act, Public Law 107-288 (2002).

Veteran status is a Most-in-Need characteristic; therefore, it is a performance goal that must be met;

- (f) Have low employment prospects;

- (g) Have failed to find employment after using services provided through the One-Stop delivery system; or
- (h) Are homeless or at risk for homelessness

To ensure that these goals are achieved, the sub recipient shall:

- (a) Use the One-Stop delivery system as one method of recruitment and selection of eligible individuals. Notify the State employment security agency/Job Service and/or One-Stop Career Center when SCSEP vacancies exist
- (b) Establish collaborative relationships with agencies providing services to older persons, to persons with low incomes, and to persons of various race/ethnic backgrounds
- (c) Place flyers, brochures, posters, and other advertisements in public places where older individuals tend to congregate
- (d) Use low or no cost media advertising such as public service announcements on radio and TV, community service announcements, and human interest articles in local newspapers
- (e) Make presentations to groups of older people or the general public to spread the word about opportunities available through the program; and
- (f) Develop a close working relationship with other employment and training programs such as State and local programs under the Workforce Innovations Opportunity Act (WIOA), vocational education programs, dislocated worker programs, and adult education programs

3. Most-in-Need and Preferences for Service

Most-in-Need

There are a total of eight Most-in-Need characteristics. Most-in-Need is a SCSEP performance measure that is calculated by taking the total number of most-in-need characteristics/barriers to employment possessed by each participant and dividing that number by the total number of participants served. Most-in-Need data are captured on the Participant Application form.

For example: If your goal is 2.00 and you serve 40 participants in a year, the participants will need to have on average of 2 Most-in-Need characteristics (80 characteristics/40 participants = an average of 2). Obviously, some of the participants will possess all 13 Most-in-Need characteristics and others none; as always, you will balance your enrollment to achieve this goal.

Preferences for Service

If an applicant possesses any of the following eight characteristics recorded at initial enrollment, he or she should be given enrollment preference. These eight most-in-need characteristics are determined only when an applicant enters SCSEP as determined by the applicant's initial interview and assessment and cannot change once the applicant is enrolled in the program.

The eight Preferences are:

1. Veterans or qualified spouses of veterans; or
2. Homeless or at risk of homelessness; or
3. Reside in a rural area; or
4. Have a disability; or
5. Have limited English proficiency (LEP); or
6. Have low literacy skills; or
7. Have low employment prospects; or
8. Have failed to find employment after using WIOA Title I services.

4. Monitoring of Recruitment Goals

The State SCSEP Director will monitor the achievement of recruitment goals during visits with the sub recipient. At no time should vacancies exist in the program when funding is available to provide training opportunities for older workers.

The Department of Labor requires that the State periodically monitor the performance of grant-supported activities to assure that project goals related to the recruitment of priority populations are being achieved and that all requirements of the Older Americans Act and related rules and regulations are being met.

B. Eligibility Determination

1. Purpose

To determine which applicants meet the SCSEP eligibility criteria.

2. Timing

The eligibility criteria given in section 3 below apply:

- (a) To each individual who seeks initial enrollment in the SCSEP
- (b) To each individual who seeks re-enrollment after termination from the SCSEP because of loss of unsubsidized employment through no fault of their own, including illness; and
- (c) To each participant who is seeking annual recertification for continued program participation

3. Eligibility Criteria

To be eligible for participation in the SCSEP, an individual must meet each of the following criteria for age, income, place of residence, and eligibility to work:

- (a) **Age** - Each individual must be 55 years of age. **No upper age limit can be imposed for initial enrollment or continued enrollment**
- (b) **Income** - The family income of an applicant or participant during the preceding 12 months or six months annualized must not exceed 125 percent of the poverty levels established and periodically updated by the Department of Health and Human Services. A person with a disability may be treated as a 'family of one' for income eligibility determination purposes at the option of the applicant
- (c) **Residence** - Each individual, upon initial enrollment, shall reside in the State in which the project is authorized. (Residence means an individual's declared dwelling place or address. Sub recipient may **not** impose a length of residency prior to enrollment in SCSEP)
- (d) **Eligibility to Work** - Individuals enrolled after November 6, 1986, must prove their eligibility to work by completing the Immigration and Naturalization Service (INS) Form I-9. **No sub recipient may impose any additional requirement or**

condition for determining enrollment eligibility for SCSEP unless required by Federal law

- (e) **Unemployed** – Individuals applying for SCSEP must be unemployed

4. Computing Family Income

a. Computation: [TEGL 12-06]

Annual family income is defined as income received during the 12 months period that ends on the date of application or the annualized income for the last 6 months period that ends on the date of application or certification for continued enrollment. Annual Family income for current family members refers to the sum of the amounts received from the income inclusions delineated in 12-06 (Attachment I) and in section 4.d. below.

b. Definition of Family [TEGL 12-06, Attachment II]

The family standard defined is:

- A husband, wife and dependent children; or
- A parent or guardian and dependent children; or
- A husband and wife (who live in the same household); or
- A person with a disability may be treated as a “family of one” for income eligibility determination purposes as currently provided at §641.500 of the SCSEP regulations

Exception to Standard Definition

When the applicant is claimed as a dependent on the Federal Income Tax Return of another family member whom they reside, the Current Population Survey (CPS) definition of family must apply.

CPS Definition of Family:

- A family is a group of two people or more related by birth, marriage, or adoption and residing together; all such people (including related subfamily members) are considered as members of one family.
- As in the standard definition above, a person with a disability may be treated as a “family of one” for income eligibility determination purposes.

CPS Definition of Subfamily:

- **Subfamily:** A subfamily is a married couple with or without children, or a single parent with one or more of their own never-married children under 18 years old. A subfamily does not maintain his or her own household, but lives in the home of someone else.
- **Related subfamily:** A related subfamily is a married couple with or without children, or one parent with one or more of their never-married children under 18 years old, living in a household and related to, but not including, the person or couple who maintains the household. One example of a related subfamily, a young married couple sharing the home of the husband or wife's parents.
- **Unrelated subfamily:** An unrelated subfamily (formerly called a secondary family) is a married couple with or without children, or a single parent with one or more of their own never-married children or a single parent with one or more of their own never-married children under 18 years old living in a household. Unrelated subfamily members are not related to the householder. An unrelated subfamily may include people such as guests, partners, roommates, or resident employees and their spouse and/or children. An unrelated subfamily is NOT included in the determination of income eligibility for SCSEP.

c. Definition of Family Income

“Family income” means the sum of the amounts received from the income inclusions delineated in TEGL 12-06, (Attachment I).

d. Income Inclusions and Exclusions

With certain exceptions, which will be defined, the CPS official definition of ‘income’ will govern the determination of SCSEP applicant eligibility. The following are income inclusions:

- (1) Earnings: Money wage or salary income is the total income people receive for work performed as an employee during the income year.
- (2) Net income from non-farm self-employment is the net money income (gross receipts minus expense) from one's own business, professional enterprise, or partnership.

- (3) Net income from farm self-employment is the net money income (gross receipts minus operating expenses) from the operation of a farm by a person on his or her own account, as an owner, renter or sharecropper.
- (4) Benefits received under Title II of the Social Security Act (of which seventy –five percent will be counted as includable income
- (5) Survivor benefits
- (6) Pension or retirement income
- (7) Interest income
- (8) Dividends
- (9) Rents, royalties, and estates and trusts
- (10) Educational assistance
- (11) Alimony
- (12) Financial assistance from outside of the household
- (13) Other income, foreign government pensions

Family income shall not (exclusions) include the following:

- (1) Unemployment Compensation
- (2) Social Security Disability Insurance
- (3) Workers' compensation
- (4) Child support
- (5) Public assistance, including Aid to Families with Dependent Children (AFDC), Emergency Assistance money payments, and non-federally funded General Assistance or General Relief money payments
- (6) Twenty-five percent of a benefit received under Title II of the Social Security Act
- (7) Any other income exception required by applicable Federal law – e.g., stipends from programs funded by the Senior Corps of the Corporation for

National and Community Service

- (8) Payment made to or on behalf of the veterans or former members of the Armed Forces under laws administered by the Secretary of Veterans Affairs
- (9) Disability benefits
- (10) Supplemental Security Income (SSI)
- (11) First \$2,000 of certain per capita fund distributions made to Indians pursuant to the Indian Claims Act, P.L. 93-134 and P.L. 97-458.

Also excluded are:

- (1) Capital gains people receive (or losses they incur) from the sale of property, including stocks, bonds, a house, or a car (unless the person engaged in the business of selling such property, in which case the net proceeds as income from self employment)
- (2) Withdrawals of bank deposits
- (3) Money borrowed
- (4) Tax refunds
- (5) Gifts
- (6) Lump-sum inheritances or insurance payments

Special Note: TEGL 11-06

Congress has exempted SCSEP wages from income eligibility determinations for Federal Housing programs and food stamps through the OAA Amendments of 2000, 2006 and 2016 (42 U.S.C 3056 (g)).

Table I: Examples of SCSEP Income Inclusions and Exclusions

TYPE OF INCOME	INCLUDE	EXCLUDE
Wages or Salary	Yes - gross pay before deductions	
Self Employment	Yes - net income after business expenses are subtracted	
Pensions and retirement income	Yes	
Net Rent royalties, estates, trusts	Yes	
Alimony	Yes - even if periodic	
Social Security Benefits	75%	25%
Dividend Income	Yes	
Interest	Yes	
Insurance Annuities	Yes	
Lump sum inheritances, insurance payments, gambling and lottery earnings	No	Yes
Financial assistance from outside of household	Yes	No
Payments Under Indian Claims Act	Yes - Exclude \$2,000	\$2,000
Public Assistance	No	Yes
SCSEP Earnings	No	Yes
Unemployment Compensation	No	Yes
AFDC Payments	No	Yes
Social Security Disability	No	Yes
Education Financial Assistance Payments (Title IV of Higher Education Act)	Yes	No
Needs-based Scholarship Assistance	Yes	No
Active Military Duty Pay	No	Yes
Non-Cash Income (food stamps, energy or food assistance, etc.)	No	Yes
Black Lung Disability Payments	No	Yes
Other Employment and Training Payments	No	Yes
Supplemental Security Income (SSI)	No	Yes
Other Income, foreign government pensions	Yes	No
Survivor Benefits	Yes	No

NOTE: This table is not all-inclusive.

e. **Procedures for Calculating Annual Family Income**

Income refers to the total family cash receipts before taxes. Annual family income shall be determined by computing income received during the 12 months period that ends on the date of application or the annualized income for the last 6 months period that ends on the date of application or certification for continued enrollment; whichever, benefits the applicant/participant.

Annual family income for current family members refers to the total amount of cash income received from wages or salary, self-employment, or other income described above which lists monies to be included and counted as income. Annual family income does not refer to monies received from sources described in the Exclusions, which lists monies to be excluded and not counted as income.

After calculating the annual family income, refer to the income guidelines for the size of the family to determine if the income eligibility criterion is met. For example, if the family consists of a mother, father, and one dependent child, the income guidelines for a family of three should be used to determine income eligibility.

To be eligible for SCSEP, the family income **must not exceed 125 percent of the poverty level** established by the Department of Health and Human Services for the size of the family.

f. **SCSEP Income Eligibility Guidelines**

These guidelines are issued annually. (The current Poverty Guidelines are included in the appendices.) These figures are to be used to determine the income eligibility of SCSEP applicants and participants.

5. Enrollment Priorities

a. **Purpose**

The purpose of enrollment priorities is to meet the conditions Congress set forth in the Older Americans Act, as amended.

b. **Criteria for Enrollment Priorities**

To assist the individuals with the greatest need, the sub recipient shall follow enrollment guidelines when filling **all** SCSEP positions. The sub recipient will give priority to:

- Those 65 years of age or older

- Have a disability
- Have limited English proficiency or low literacy
- Reside in a rural area;
- Are veterans (or, in some cases, spouses of veterans) as established in the Jobs for Veterans Act, 38 U.S.C 4215 (a) and the Senior Community Service Employment Program; Final Rule §641.520 (b)
- Have low employment prospects;
- Have failed to find employment after using services provided through the One-Stop delivery system; or
- Are homeless or at risk for homelessness

Within all of the priorities listed above, the sub recipient shall give preference to persons with poor employment prospects.

A person with poor employment prospects is defined as an eligible individual who is not likely to obtain employment without the assistance of the SCSEP or some other employment and training program. Persons with poor employment prospects include, but are not limited to, individuals

- Without a substantial employment history
- Who lack basic skills
- With low English-language proficiency
- Who are displaced homemakers
- Who dropped out of school
- Who are disabled veterans
- Who are homeless
- Who live in socially and economically isolated rural or urban areas where employment opportunities are limited

The sub recipient will provide the opportunity for a participant to participate in the Chronic Disease Self Management Program (CDSMP) as part of the evidence-based health promotion activities defined in the Older Americans Act Amendments, to potentially improve job retention of those participants who have a chronic health related condition. By offering this

course to SCSEP participants who experience some of these chronic health related issues, participants will be better prepared to manage their existing chronic conditions which will improve the likelihood of employment retention. Participants may also seek to become a CDSMP trainer through “lay leader” training, obtaining skills to conduct CDSMP workshops. These additional skills may enhance opportunities to gain employment as a long term trainer for CDSMP or for consideration in other jobs that require training in the skill set. Subjects include:

- techniques to deal with problems such as frustration, fatigue, pain, and isolation
- appropriate exercise for maintaining and improving strength, flexibility, and endurance
- appropriate use of medications
- communicating effectively with friends, family, and health professionals
- nutrition, and
- how to evaluate new treatments

6. Dual Eligibility

An individual who meets the age, income, and residence requirements for SCSEP participation under Title V of the Older Americans Act shall be deemed eligible to be enrolled in a joint program with WIOA. The joint program must be established by a written financial or non-financial Memorandum of Understanding (MOU) agreement between the SCSEP project and WIOA to satisfy the requirements of WIOA and SCSEP.

7. Enrollment Procedures

The sub recipient shall obtain and record the personal information necessary to determine eligibility for each individual. The information shall be recorded on the Participant Form at the time of enrollment and each year at the time of recertification. The sub recipient is responsible for assuring that the information provided by the applicant is reasonable, reliable, and consistent with other statements made by the applicant. Refer to the SCSEP Data Validation Handbook (Appendix C) to identify required documentation.

All applicants shall be required to review and sign the SCSEP Participant Form at the time

of enrollment.

Once an applicant is deemed eligible, his or her enrollment must be properly documented. A list of intake forms follows:

- (a) **Participant Form** (**Note:** Mandatory form for all initial enrollments and re-enrollments.)
- (b) **Confidential Statement of Income** (**Note:** Mandatory form for all pre-applications, initial enrollments, recertification, and re-enrollments. **Additional Note:** Documentation supporting the figures reported must also be kept on file.)
- (c) **Employment Eligibility Verification Form I-9** (Mandatory for all individuals enrolled after November 6, 1986.)
- (d) **SCSEP Community Service Assignment Form, Physical Assessment Waiver**, if applicable

These forms can be found in **Appendix A**.

8. Over-Enrollment

Over-enrollment may occur when attrition prevents grant funds from being fully utilized, but a sub recipient must have the State's permission **before** enrolling additional participants over the authorized position level.

9. Durational Limit**Individual Durational Limit**

The State of Nevada has implemented a durational limit policy that adopts the 48 month limit on all participants and will not offer extensions to any participant. The clock for this measurement started on July 1, 2007. A participants' prior time in the project does not count. The sub recipient must terminate any participant who reaches the 48 month durational limit, unless a waiver is in place. **NOTE:** Participants are not automatically entitled to remain in the program for 48 months.

SCSEP participants are encouraged to complete their job readiness training and obtain unsubsidized employment within 27 months or less of enrollment in the program or as soon as they become job ready in order for the sub recipient to meet the Average Project Durational Limit of 27 months. The Individual Employment Plan (IEP) will address individual goals and timelines for obtaining unsubsidized employment.

Participants will be provided a copy of the SCSEP Individual Participant Durational Limit Policy

upon enrollment with the program. The host site agency will be provided a copy of the SCSEP Individual Participant Durational Limit Policy during orientation and with the host site agreement. The participant and the host site supervisor will sign a form affirming that they received and read the policy.

Active participation in the regular SCSEP and Recovery Act (ARRA) funded programs count toward the individual durational limit. Approved breaks will not be counted toward the individual's durational limit.

To ensure that participants maximize their accomplishments while in SCSEP, the participant will be assessed every 6 months to ascertain job readiness, to identify barriers to gaining employment and to identify additional training and supportive services needed. The participant will be enrolled in training programs to enhance current skills or help them attain new job skills. The participant may be transferred to a new host site if there is the potential for new work skills to be obtained. The Individual Employment Plan (IEP) will be updated and goals and timelines reevaluated at least every 6 months.

If employment is not attained before 42 months of SCSEP participation, in the 42nd month, the participant will receive the 6 Month – Notice of Tenure letter. The sub recipient staff and the participant will develop an exit Transitional IEP that will plot the participant's exit strategies.

The Exit Transitional IEP will include the following services from the SCSEP sub recipient staff:

- Assist participants with resumes, interview skills, referral to job openings and job fairs and the utilization of the computer learning center to assist participants in job search to help them gain employment using various career and job resources. Identify supportive services that will aid the participant in their transition out of SCSEP, e.g. subsidized housing, energy assistance, food stamps, SSI and Medicaid.
- Assist participant if requested, to developing a Post-SCSEP budget that does not include SCSEP wages.
- Referral as appropriate to Nevada's Job Connect "One Stop" centers, other Workforce Innovations Opportunity Act partners and other organizations that will help them in their transition out of SCSEP but remain active and maintain connectivity to the community, e.g. Senior Companion, AmeriCorps, American Red Cross, Volunteers of America.
- With the permission of the participant, alert the participant personal support system, e.g. family, case workers, to their loss of income from SCSEP and increased need for support.

The participant will be given a 30 day Notification of Termination Letter at least 30 days prior to their durational limit date and will be exited on the exact date, unless terminated for other allowable reason prior to their durational limit date.

Note: Because of a participant potentially being placed on Approved Break (and thereby 'stopping the clock' for the purpose of durational limits) the durational limit date will be re-verified in SPARQ at least 30 days prior to sending the termination letter.

Sub Recipient Average Project Durational Limit

The sub recipient is required to manage its programs to maintain an average project durational limit of 27 months or fewer (see OAA Title V. Sec. 502 (b) (1) (C)).

- The average project duration is the sum of the number of months of enrollment of all the program's participants, divided by the number of participants.

The clock for this measurement started on July 1, 2007; participants' prior time in the project does not count. All participants who are currently active or who have been active in the preceding 9 quarters are counted.

- The 27 month durational limit first applied on October 1, 2009.

Participants cannot be terminated based solely on the Average Project Durational Limit before the participant reaches the Individual Durational Limit (48 months). However, participants can be, and are encouraged to be, exited from the program into unsubsidized employment as soon as they are ready.

- Participants will be encouraged to complete their job readiness training and obtain unsubsidized employment within 27 months or less of enrollment in the program. The participant's Individual Employment Plan (IEP) will address individual goals and timelines for obtaining employment.
- The sub recipient must have written permission from Aging and Disability Service Division and Department of Labor to impose an individual participant durational limit of less than 48 months.

The sub recipient can request a waiver to raise their average project duration up to 36 months, rather than 27 months. Waivers are on a program year basis and are based on the five factors (see OAA Title V Sec. 513 (2) (d)):

- High rates of unemployment or poverty
- Significant downturns in the areas served by the grantee or in the national economy

- Significant numbers or proportions of participants with barriers to employment
- Changes in federal, state or local minimum wage
- Limited economies of scale

The sub recipient may submit a written request for an Average Project Durational Limit waiver, with justification for the request, to the State of Nevada Senior Community Service Employment Program Director by April 1st each year. The waiver request will be submitted to the SCSEP Federal Project Officer by May 1st, for a final determination by July 1st.

10. Confidentiality (Privacy Act of 1974)

Names of SCSEP participants are considered public information. However, the sub recipient shall maintain the confidentiality of all other information regarding applicants, participants, and their families that may be obtained through application forms, assessment interviews, tests, and evaluations.

Without the permission of the applicant or participant, confidential information should be divulged only as necessary for purposes related to project administration or evaluation and only to persons having official responsibilities in connection with the project or to governmental authorities to the extent required for the proper administration of law.

SCSEP participant information sent electronically must be encrypted.

11. Procedures When Applicants Are Ineligible

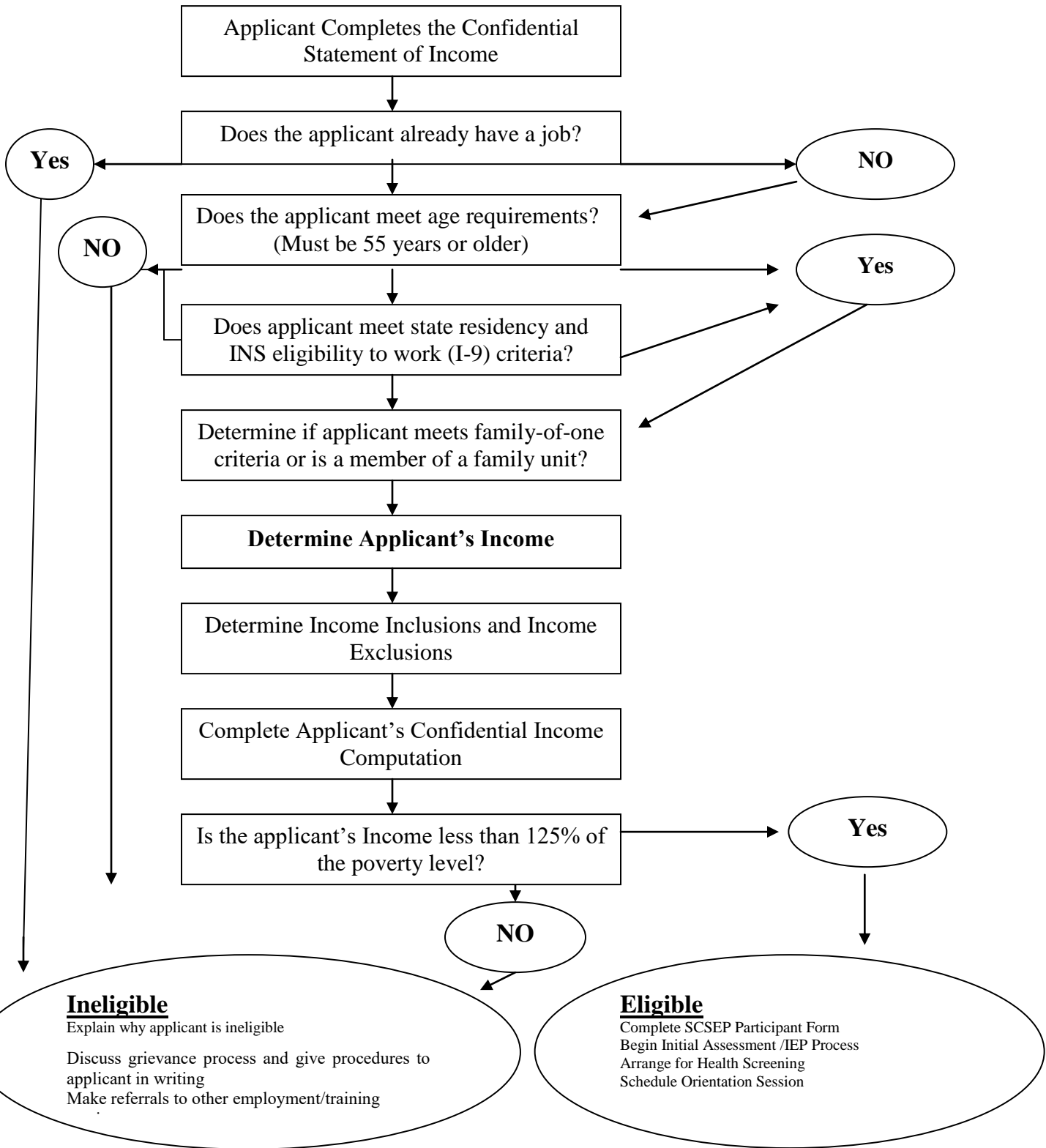
When applicants are found to be ineligible, whether due to age, income, residency, employment or ineligibility to work under INS rules, the sub recipient should take the following steps:

- (a) Explain to the applicant why she or he is ineligible
- (b) Discuss the grievance process and provide the applicant with written grievance procedures
- (c) Give the reason for ineligibility to the applicant in writing (mail, if appropriate)
- (d) Make referrals, if appropriate, to other employment and training programs (e.g. WIOA provider)
- (e) Make referrals, if needed, to community service agencies (social services, food bank, transportation, housing, AmeriCorps, Senior Companion, RSVP etc.)

12. Diagram of SCSEP Intake Process

A diagram of the SCSEP Intake Process follows on the next page.

SCSEP Intake Process



C. How to Recertify Current Participants

1. Policy

Sub recipients must recertify participants annually on or prior to the participant's most current SCSEP entry date or recertification date to determine eligibility for continued enrollment on the program. Participants should be given notification of the recertification **30 days prior** to the date the recertification is scheduled to take place.

No participant shall hold a training position for more than 12 months without having his or her income recertified. The State will monitor this requirement during the assessment process.

When individuals re-enroll after termination from a project for reasons of extended illness or placement into unsubsidized employment, eligibility determination is identical to that of recertification.

2. Procedures for Re-enrollment and Recertification

When re-enrolling or recertifying a participant, a sub recipient must:

- (a) Complete the process during a face-to-face interview with the participant or former participant
- (b) Have the participant complete a Confidential Income Statement and obtain supporting documentation
- (c) Ensure that Employment Eligibility Verification Form I-9 is on file for each participant who:
 - (1) Was enrolled after November 6, 1986, and is still actively enrolled or
 - (2) Was enrolled after November 6, 1986, and remained on the program through June 1, 1987 or later;
 - (3) (If Form I-9 is not on file, complete it according to the instructions on the form. See Form I-9 in Appendix A.)
 - (4) Complete a Participant Form

3. Income Computation for Inter-Program Transfers

When a participant transfers from one SCSEP program to another (e.g., AARP to State), the sub recipient must **immediately** determine eligibility using the Confidential

Statement of Income.

4. Procedures to Follow When Participants Are Ineligible

When a participant is found to be ineligible for continued enrollment on the program, SCSEP regulations require that the participant be notified according to the reason for the ineligibility determination and be given 30 days written notice of termination from the program.

- (a) Participants found to be ineligible for continued enrollment on the program because family income exceeds 125 percent of the Federal poverty guidelines shall be given a written notice of termination.
- (b) When it is determined that a participant was incorrectly declared eligible due to false information given by the participant, the sub recipient shall give the participant written notice explaining the reason(s) for the determination. In this instance, the participant will be given 30 days written notice of termination and placed on 30 days unpaid administrative leave.
- (c) If the participant was incorrectly declared eligible through no fault of the participant, the sub recipient shall give the participant immediate written notice explaining the reason(s) for the termination. The participant shall be terminated 30 days from the date of the notice. (Participants can continue to work if the incorrect determination was an error).

In situations (a) and (c) above, the project staff should make a reasonable effort to place the participant in an unsubsidized job or find other support for the ineligible participant. The participant should be informed of the right to appeal and given written instructions about how to file an appeal with the project.

D. Employment Eligibility Verification

1. Policy

The sub recipient is required to verify the employment eligibility of applicants and participants under the Immigration Reform and Control Act (IRCA) of 1986. All participants enrolled after November 6, 1986, must complete the Employment Eligibility Verification Form (Form I-9).

The sub recipient shall inform all applicants that **only** individuals who are authorized to

work in the United States may be enrolled in the SCSEP.

2. Procedures

The applicant must complete Form I-9 at the time of enrollment. Documentation must be presented to establish the applicant's identity and employment eligibility. Acceptable documents are listed on the back of Form I-9.

Documents from **List A** (Form I-9) establish both identity **and** employment eligibility. These documents include a U.S. Passport, a Certificate of U.S. Citizenship, and a Certificate of Naturalization. For other documents on List A, refer to the back of Form I-9 or Appendix A.

Documents from List B will establish **only** identity. Some of the documents on List B are a driver's license issued by a state provided that it contains a photograph or essential personal information (name, date of birth, sex, height, eye color, and address), a U.S. Military card or draft record, and a school verification card with a photograph. For other documents on List B, refer to the back of Form I-9.

Documents from **List C** will establish **only** employment eligibility. Some of the documents on List C include a Social Security card issued by the Social Security Administration, a Certification of Birth Abroad issued by the U.S. Department of State, and an original or certified copy of a birth certificate issued by a state, county, or municipal authority or outlying possession of the United States bearing an official seal.

IMPORTANT NOTE: When a document from List B is used to establish identity, the applicant must present a document from List C to verify employment eligibility.

According to Older Worker Bulletin 97-4, dated February 18, 1997, voter registration cards may no longer be used to document U.S. citizenship, although they are acceptable as proof of residency. Older Worker Bulletin 97-4 further notes that numerical printouts from the Social Security Administration database are no longer acceptable as verification documents to establish eligibility for enrollment in SCSEP.

Completing the Form I-9: The applicant should complete and sign Section 1 of Form I-9. If a translator or other person completes Section 1 for the applicant because of language difficulties, the other person and/or translator must sign the form and complete the other

person and/or translator certification box. The staff member interviewing the applicant should review Section 1 to ensure that it is correctly filled out, legible, and has been signed.

E. Physical Assessment

1. Purpose

The Department of Labor has stated clearly that physical examinations are a fringe benefit for program participants. Physical examinations are **not** an eligibility factor.

2. Timing

The physical assessment shall be offered to each participant at the time of eligibility or orientation and annually thereafter.

3. Policy

The sub recipient must offer SCSEP participants a physical assessment upon enrollment into the program and annually as long as they continue on the program.

4. Procedures

In the field, many questions arise concerning appropriate ways to offer physical assessments and ask questions about an applicant's or a participant's physical limitations. Procedures for this section fall under the jurisdiction of the Federal regulations for SCSEP, the Americans with Disabilities Act (ADA), and Section 504 of the Rehabilitation Act.

The State requires that it's the sub recipient adhere to the following procedures during an individual's application, enrollment, and tenure in SCSEP.

(a) During the Application Process

During the intake process, questions about an applicant's health are not permitted even if the applicant appears frail or has indicated that he or she has a health problem.

The application process should focus solely on determining eligibility.

Physical health is not an eligibility factor. The Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act prohibit making medical inquiries **before** an offer of employment has been made. In other words, questions

about ability to work are not allowed before the person is determined to be eligible and offered a position in the program.

(b) After Enrollment

After the applicant has been found eligible for SCSEP and while an appropriate training assignment is being developed, the new participant can be asked certain questions regarding his or her health. Job-related medical inquiries are permitted at this time to assist in matching the participant to a training assignment.

NOTE: Caution should be taken when asking health related questions.

Any medical inquiry should focus on the individual's ability to perform an essential job task. The questions, "Can you stand for two hours a day?" and "Can you sit at a computer and type for three to four hours per day?" are appropriate.

Do not ask general questions such as "How is your health?" The sub recipient must explain clearly to new participants that health related questions are asked only for the purpose of developing suitable community service training assignments for them.

If questions are asked of one participant, they must be asked of all participants. For instance, a sub recipient may ask all participants if they have recently been under a doctor's care. The follow-up question, "Do you have a release from your physician?" can be asked of individuals who answer *yes* to the question of recently being under a doctor's care.

Do not limit questions to persons who appear to have disabilities, health problems, or are receiving Social Security Disability Insurance or any other disability payments. The Department of Labor states, "Judgments made on appearances can lead to the perception that discriminatory assumptions are being made."

(c) While Participating on a Community Service Training Assignment

If a participant is placed in a position where everyone working in similar positions must undergo a physical examination, the participant may be required to undergo a physical examination. An example of this would be when a participant is considered for a food service assignment in a non-profit hospital where all food

service workers are required to pass a physical examination. If the participant refuses to have a physical examination, another training site should be found.

If a participant misses three (3) or more days from his or her community service training assignment due to illness, a sub recipient may require a “return to work” release from a medical practitioner. However, the policy must be formally established, given to the participants in a written form, and uniformly applied to all participants.

(d) During the Recertification Process

During the recertification process, the sub recipient must offer an annual physical assessment to each participant who is eligible to continue on the program.

5. Documentation

The examining physician should provide a written medical report to the participant. The participant does **not** provide a copy of the medical report to the sub recipient. The State SCSEP Director will periodically review files for compliance.

6. Refusal of a Physical Assessment

A participant may refuse to take advantage of the physical assessment offer at the time of enrollment or at recertification. The sub recipient must document the refusal by having the participant sign a Physical Assessment Waiver. The participant must sign the waiver within 60 days after beginning a community service training assignment.

The sub recipient should actively encourage participants to take advantage of the physical assessment. Staff should **not** volunteer the use of a waiver as an automatic option.

7. Cost of Physical Assessments

The sub recipient should seek to provide physical assessments through reduced or no-cost local providers. Charges for assessments are allowed only when no-cost services are not available in the local community. The cost of physical assessments should be charged to the Participant Wages/Fringe Benefits cost category.

8. Forms

If the participant refuses the physical assessment, he or she must sign a Physical Assessment Waiver. A participant may not be denied eligibility because they refuse to

sign the waiver form but the sub recipient must document the participant's refusal in the case notes.

F. Comprehensive Assessment

1. Purpose

The initial assessment provides the basic framework for the individual employment plan (IEP). The comprehensive assessment process seeks to identify a participant's existing work skills and deficits, job preferences, and any barriers to employment. From the assessment, the sub recipient will determine the appropriate employment, training, or service activities for each participant and describe each activity on the IEP. Procedures for the IEP follow in Section G.

2. Requirements

It is the responsibility of the sub recipient to design and implement an effective procedure to assess participants. The assessment must include a comprehensive evaluation that includes both formal and informal techniques.

The assessment must include input from the participant. The Department of Labor has established minimum assessment requirements in Older Worker Bulletin 96-1, dated February 7, 1996, the sub recipient must adhere to and all assessments must include the following:

- (a) The assessment shall be made in partnership with the participant.
- (b) The participant's skills, talents, training, work history, and capabilities must be considered.
- (c) Appropriate training and employment objectives must be identified.
- (d) Needed supportive services must be identified
- (e) The assessment must be the basis for the individual employment plan (IEP).
- (f) The assessment must be the basis for the community service assignment.
- (g) The participant and the project staff member who helped develop it must sign the assessment.
- (h) The assessment must be conducted by the sub recipient.

In addition, the State requires **the sub recipient** to include, at a minimum, the following

when assessing a participant:

- (a) The individual's occupational/job preference
- (b) Education and vocational training
- (c) Occupational skills, interests, talents, and aptitudes
- (d) Physical capabilities (consistent with Section 504 of the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act of 1990)
- (e) Positive attributes
- (f) Barriers to employment
- (g) Scores on assessment instruments, if applicable
- (h) Potential for performing the proposed community service assignment duties
- (i) Potential for transition to unsubsidized employment

Particular attention should be paid to the knowledge and skills the participant now possesses, the types of work the participant would like to do, and the knowledge and skills the participant needs to obtain a job in the occupational field of interest. This information provides the basis for the individual employment plan (IEP) and should guide training and employment decisions.

3. Methods of Assessment

Methods of assessment that the sub recipient may use include:

- (a) Vocational testing and interest surveys
- (b) Informal (personal questionnaires) and formal structured interviews
- (c) Observations of an individual's attitudes, behavior, and body language
- (d) Basic skills testing
- (e) Workbooks/exercises to help individuals identify their work preferences, values, and options
- (f) Needs identification through self-assessment activities

4. The Assessment Interview

A technical guide prepared for the Department of Labor provides the following tips to help project staff make the assessment interview less threatening to an older individual and to help create a welcoming environment.

- (a) **Be ready to interview** the individual
- (b) **Be mindful of your role** to assist someone who needs guidance through the system
- (c) **Be trustful**, briefly stating that you intend to help the participant meet his or her goals
- (d) **Be open and avoid making judgments** about a participant based on dress, styles, accent, or location of his or her residence
- (e) **Be aware of your limitations**, as you are neither a therapist nor a rescuer
- (f) **Be participatory**, gently guiding the interview
- (g) **Be useful** by showing how your program's assistance may lead to gainful employment
- (h) **Be relaxed and non-threatening**, but remember to be aware of cultural differences that may influence how people respond to an interviewer
- (i) **Be adaptable**, allowing the participant to make decisions about employment goals and training

Staff must be willing to work with individuals with a variety of experiences, skills, needs, and attitudes. The goal is to work effectively with the participants and present options that will propel them toward their employment objectives.

5. Ongoing Procedures and Re-assessment

Assessment of participants is a continual responsibility of the sub recipient. A formal re-assessment of each participant's progress toward the goals set in the IEP is required **at least once every six (6) months**.

Monitoring participant achievements and challenges on a monthly or a quarterly basis will enhance both participant development and the review. Ongoing assessments should seek to make the best use of SCSEP resources by determining how participants can be motivated to higher levels of achievement.

6. Approval of Assessment Procedures

Assessment activities may rely on in-house, external, or a combination of in-house and

external resources. All assessment instruments and procedures **must** be approved by the State SCSEP Director.

7. Recent Assessments Conducted by Other Programs

A sub recipient may use an assessment of a participant prepared by another employment or training program under the WIOA **if** the program prepared the assessment **within one year prior to the date of application to the SCSEP.**

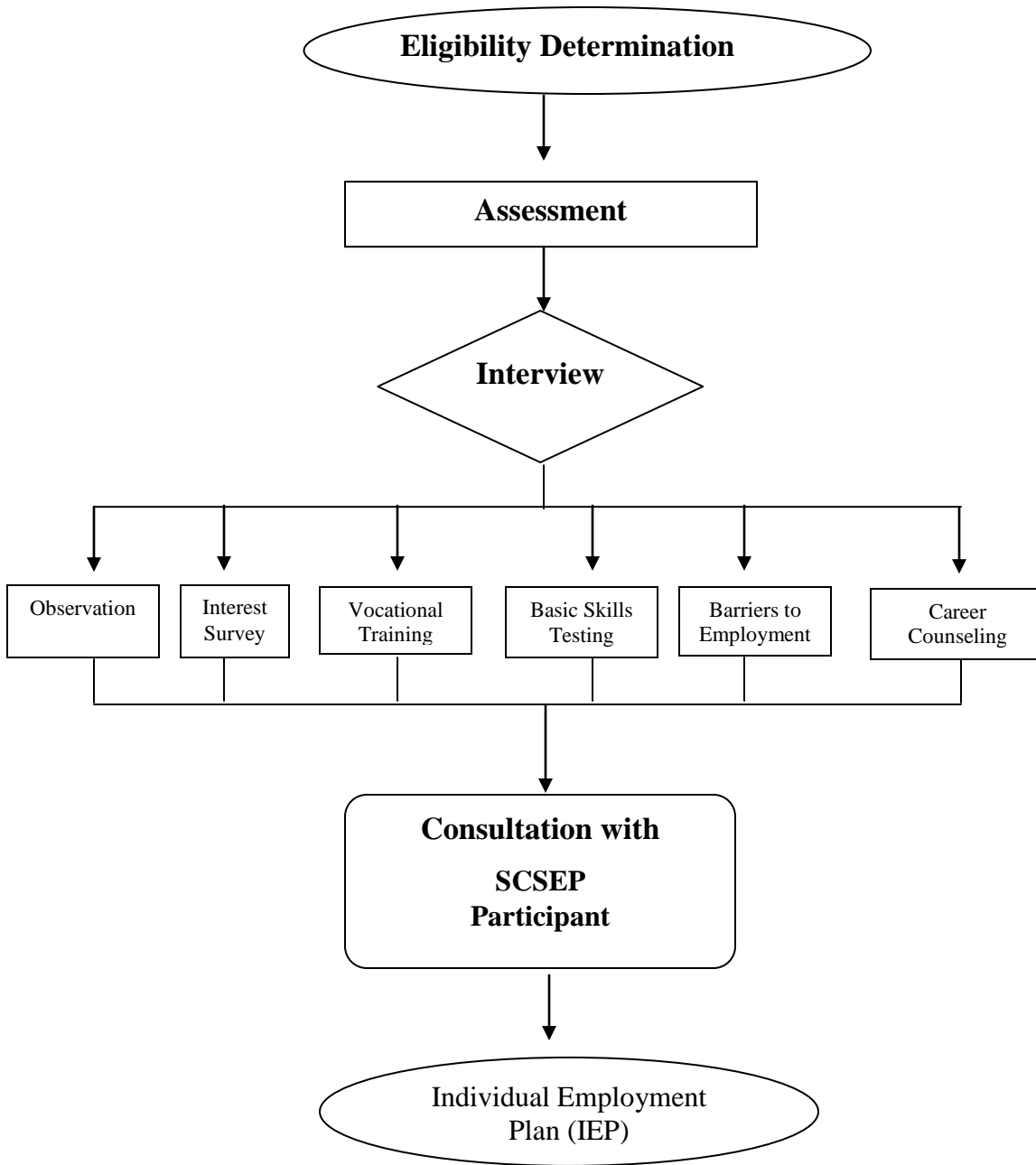
8. Assessment Forms

The sub recipient may develop assessment forms of their own. If a sub recipient develops assessment forms, **they must be approved** by the state SCSEP Director.

9. Diagram Illustrating the SCSEP Assessment Process

A diagram illustrating the SCSEP assessment process follows on the next page.

SCSEP Assessment Process



G. Individual Employment Plan

1. Purpose

The purpose of the Individual Employment Plan (IEP) is to outline a strategy that will assist participants in achieving their employment goals. The assessment and IEP are used to develop a training assignment for each participant.

2. IEP Requirements

The IEP must be developed with the participant and host site and must include the following:

- (a) An initial employment goal (other goals may be determined during future IEP processes if employment is not an appropriate goal)
- (b) A list of intermediate objectives to be achieved
- (c) A service plan listing the sequence of the services or activities that the participant will receive or in which they will participate including an explanation of how these services or activities address the participant's needs, interests, and desires that were identified during the assessment process and will help them to achieve employment

The IEP **must be developed for each participant within the first month of enrollment in the SCSEP**. The State requires that the IEP be developed within a month of a participant's enrollment because it is important that participants know the steps they must take to become employable in the local job market.

All participants are to be given a copy of their IEP. The original should be placed in the participant's record. Training site supervisors will be provided with a copy of the IEP.

3. IEP Review

The sub recipient shall formally review the IEP progress for each participant **at least** twice a year. This review **must** include the following:

An assessment of the appropriateness of the participant's current community service work training assignment

- (a) An evaluation of the progress the participant has made in meeting IEP objectives
- (b) A determination of the participant's potential for transition to unsubsidized employment

- (c) An evaluation of the progress the participant has made toward meeting his or her training and employment objectives
- (d) Input from the participant on any aspect of the plan
- (e) Input from the host site supervisor on any aspect of the plan
- (f) Motivation of the participant toward completing the plan steps
- (g) Any necessary revisions to the IEP due to a change of circumstances with the participant or the training site, e.g. Some participants may not be able to achieve the original employment goal

If the participant has made significant progress or if there has been a change in the participant's circumstances, a revised IEP should be completed. Be sure to insert the date that the revised plan was developed. The participant and host site supervisor should be given a copy of the revised IEP. The original of the revised IEP should be filed in the participant's record. Sub recipient staff should ensure that the participant understands and agrees to all changes in his or her goals, program activities and services, and required action steps.

4. Host Site Transfer Procedure Based on the IEP

Upon review of the IEP, a sub recipient may develop an alternative training assignment or host site transfer for a participant under the following circumstances:

- (a) When a different training assignment will provide greater opportunities for the participant to use his or her skills and aptitudes
- (b) When an alternative training assignment will provide work experience that will enhance the participant's potential for unsubsidized employment
- (c) When a different training assignment will serve the best interests of the participant or host site
- (d) The host site requests the participant be moved
- (e) The steps that shall be followed when making a training site transfer can be found in Section Q, item 4 of this manual. The sub recipient must follow the required procedures when making training site transfers.

Note: The local State Manager, Host Agency Supervisor or participant may request a transfer at any time.

5. IEP Form

The sub recipient may develop an Individual Employment Plan form of their own. If a sub recipient develops a form, it **must be approved** by the State SCSEP Director.

6. IEP-Related Terminations

Under certain circumstances, the State will review a request for an IEP-related termination. The request will be approved only if both the State and U.S. Department of Labor criteria are met. The sub recipient should ensure that the request meets all requirements before submitting it to the State SCSEP Director. A participant cannot be terminated until State approval is received.

The Department of Labor (DOL) issued clear guidance in Older Worker Bulletin 96-11, dated August 15, 1996, that IEP-related terminations should be used only as a **last resort**. DOL has emphasized that all practical steps should be taken to **avoid** the termination of a participant based on the IEP.

(a) DOL's Criteria for IEP-Related Terminations

Furthermore, DOL has established six broad criteria that must be adhered to before IEP-related terminations will be considered. These criteria are listed below.

- (1) **Notification** - All participants **must** be informed during orientation or during a quarterly meeting that failure to accept a reasonable number of job offers could be a basis for termination from the SCSEP.
- (2) **Consistency** - Rules and procedures must be applied in a **fair** and **consistent** manner to all participants in a sub recipient project. Staff cannot request a termination of one participant over another solely because of personality issues. "Difficult" participants cannot be terminated without being given the same consideration and support in achieving their IEP objectives as more cooperative participants.
- (3) **Validity** - The IEP must reflect clearly and accurately state the goals of the participant. A participant's failure to adhere to vaguely worded IEP objectives will not be considered a valid reason for an IEP-related termination by the State or DOL.
- (4) **Appeal Process** - Appeals of IEP-related terminations require two levels

of review - an official of the sub recipient not directly involved with the participant and the State. The sub recipient's staff member who signed the IEP must not be involved if the participant appeals the termination decision.

- (5) **IEP Change** - An IEP may be modified to reflect a situation that was not considered in the original IEP. For example, a participant who has recently lost a spouse may not be able to fulfill some of the IEP objectives while adjusting to the loss. In such situations, a modification to the IEP would be more appropriate than requesting an IEP-related termination.
- (6) **Adequate Procedures** -When a participant's actions are not consistent with the IEP, the sub recipient must explore the cause in every case. A corrective action notice or letter must be developed and provided to the participant whenever the participant's actions are inconsistent with IEP objectives, including when the participant fails to follow through with a job referral. The notice or letter must provide time frames for the participant to respond to the sub recipient.

(b) **Additional State Criteria for IEP-Related Terminations**

The State criteria for IEP-related termination requests follow:

- (1) The sub recipient must have developed a valid IEP for the participant with the participant's input. Further, the participant must have agreed to the requirements of the IEP.
- (2) The sub recipient must submit copies of any documents that describe or enumerate the participant's inability to meet the IEP objectives. Copies of any corrective letters that were given to the participant should be included as attachments. The documents should describe clearly what has happened and the steps the sub recipient took to help the participant to resolve the relevant IEP issues. All IEP progress reviews should be sent with the request.
- (3) The participant must have been given sufficient time to follow through with the actions and activities on the IEP. The state SCSEP Director

will review the information received to determine if the DOL and the State criteria were fulfilled and notify the sub recipient of a decision.

(c) **Corrective Action**

Corrective actions are taken to inform participants that they have not complied with one or more of the program requirements. A corrective action notice or letter is a document that is conveyed to the participant in person, if possible. The document contains information regarding a specific incident where the participant failed to fulfill his or her IEP responsibilities. The corrective action notice must have the following components:

- (1) It shall list the specific event.
- (2) It shall cite the jointly signed agreement provision.
- (3) It shall provide a period of 30 days to allow the participant to take corrective action.

A corrective action notice or letter may be appropriate in the following situations **if the participant's performance** is inconsistent with the jointly signed IEP agreement.

(1) **Job Referrals**

A corrective action notice should be used when a participant refuses to accept a referral for an interview at an employer's workplace. However, the proposed job must be consistent with the participant's IEP.

(2) **Job Offers**

A sub recipient may terminate a participant if the participant refuses to accept a reasonable number of job offers to unsubsidized employment consistent with the IEP and there are no extenuating circumstances that would hinder the participant from moving to unsubsidized employment.

Termination from the program is a last resort. It should be pursued only after all options have been exhausted, all events have been documented, and only after 30 days written notice has been given to the participant. The proper steps must be taken **before** asking the State to approve a termination.

(d) **Consider Extenuating Circumstances**

DOL clearly states that IEP-related terminations are **not** appropriate in the following cases:

- (1) When factors are not within the control of the participant (e.g., when transportation is unavailable to an unsubsidized job or referral)
- (2) When the death of a closely related person or partner impacts the participant's training or work performance
- (3) When a physical condition adversely affects the participant's ability to complete training or a work assignment
- (4) When the training or unsubsidized job creates undue hardship by placing requirements on a participant that significantly exceed the requirements of his or her community service work training assignment
- (5) When the proposed unsubsidized position costs the participant more in terms of transportation, clothing, and other costs than the SCSEP position

NOTE: Other extenuating circumstances should be considered on a case-by-case basis. The participant must be given 30 days notice of termination. The participant must be provided a copy of the Grievance Policy upon termination from the program.

H. Orientation

1. Purpose

The purpose of the orientation is to provide essential information that participants need to effectively fulfill their responsibilities while on their training assignments.

2. Requirements

The sub recipient's Project Director or designee shall provide orientation to all new participants **before** they begin their training assignments. Because orientation is mandatory, participants **must** be compensated for their attendance.

3. Procedures

Orientation sessions shall be conducted during normal work hours and should include, but not be limited to, information concerning

- (a) The role of the sub recipient staff
- (b) SCSEP project goals and objectives
- (c) **Participant rights and responsibilities;**
- (d) Training site information, including the following:
 - (1) Name of the agency
 - (2) The agency's address and directions to the location, if needed
 - (3) The training site supervisor's name
 - (4) A training assignment description (TAD) with duties listed
 - (5) A work schedule (including hours and days);
- (e) Administrative procedures (including instructions on how to complete time sheets, request leave, etc.)
- (f) Policies on working hours, wages, and fringe benefits
- (g) Policies on leave and calling in sick
- (h) **The Individual Employment Plan (IEP)**
- (i) Training opportunities available through the project
- (j) Service plans in the IEP to assist in the participant's transition to unsubsidized employment
- (k) Available supportive services
- (l) Permitted and prohibited political activities
- (m) Safe working habits and conditions
- (n) **Procedures for reporting accidents and handling emergencies**
- (o) The Age Discrimination in Employment Act (ADEA);
- (p) The Americans with Disabilities Act of 1990
- (q) The Drug-Free Workplace Act of 1988
- (r) **Grievance procedures**
- (s) **Participant and Host Agency Handbook**

NOTE: Items in bold print must be given to new participants in written form.

4. Orientation Checklist

Participants must sign a copy of the Orientation Checklist to indicate that they have read or received a satisfactory explanation of the material covered during the orientation. A copy of the form should be given to the participant and a copy placed in the participant's record.

5. Orientation for the Training Site Agency

An orientation on the materials listed in section (H)(3) above shall be provided by the sub recipient to the training site supervisor and any other staff involved with SCSEP participants. Each of these individuals should be asked to sign an Orientation Checklist form. The form(s) should be placed in the training site file.

6. Follow-Up Orientation Session for Participants

The State **strongly recommends** that the sub recipient offer participants a follow-up orientation session in a group setting during the first quarter of their enrollment. This session will provide

- (a) An in-depth review of the SCSEP
- (b) An opportunity to discuss program goals
- (c) A supplementary explanation of the funding relationships among the State, the Department of Labor, and the local SCSEP sub recipient; and
- (d) An opportunity to answer questions and address issues that may have arisen.

I. Training In Addition to the Community Service Assignment**1. Purpose**

The sub recipient may arrange additional training for participants to prepare them for their community service assignments and eventual unsubsidized employment.

2. Procedures

Training may be provided through lectures, seminars, classroom or individual instruction, or through other employment and training programs. Programs such as adult and vocational education are good local resources to consider.

The sub recipient is strongly encouraged to find training for participants at reduced or no

cost to SCSEP through local community programs or WIOA providers.

3. **Goals for Training**

Training enhances the over-all employability of the participant by including activities that teach skills beyond those that relate to a specific work task. Some training may assist participants to develop the interpersonal skills that are crucial for job success in today's workplace. Interpersonal skills training help participants to:

- Understand the complexities of interpersonal, group, and community relationships
- Learn what behaviors are appropriate in the workplace
- Develop the personal and social skills needed for successful job performance
- Accept and use feedback from supervisors to improve job performance
- Learn communication skills to promote healthy relationships with coworkers; and
- Develop a sense of personal and occupational identity that will help them define realistic job goals

J. Occupational and Other Skills Training

1. **Purpose**

The sub recipient may provide skills training to increase opportunities for participants to obtain unsubsidized employment. Training in job search techniques may be given to participants, **but participants may not be enrolled for the sole purpose of receiving job search training and job referral services.**

2. **Procedures**

Training programs should conform to the guidelines provided below.

- (a) The training must be realistic and consistent with the participant's IEP. The time frame and goals of the training should be described in the IEP and fully understood by the participant.
- (b) Participants should be assessed before they are placed in occupational skills training to ensure that they have the basic skills needed to complete the training. If participants lack basic skills, they should be referred to an appropriate literacy or basic education program.
- (c) The sub recipient should seek skills training through such sources as community

colleges, WIOA (formerly JTPA), and the Carl Perkins Vocational and Applied Technology Education Act. SCSEP funds should be used for training only when training or funding is not available through other sources.

- (d) Participants should be encouraged to obtain training from other sources on their own time. Self-development should be promoted with all participants. Many community sources provide low- or no-cost instruction in occupational skills or personal development courses that can enhance a participant's employability.
- (e) The sub recipient shall evaluate all training provided to participants through input from employers, instructors, and participants, including participants who dropped out of the training.

3. Evaluation of Training

At a minimum, the sub recipient should evaluate the training provided to participants with SCSEP funds in the following ways:

- (a) By **requesting information from the participants** on the teaching methods used, the content and amount of instructional material covered, and the adequacy of the training setting;
- (b) By asking for feedback from employers who hire participants trained with SCSEP funds (Feedback should rate the former participants on the adequacy of their training, the level of their skills, and the quality of their work and indicate whether or not the employer would hire additional SCSEP workers); and
- (c) By tracking the average starting wage of SCSEP participants, their earnings gains, and their job retention rates.

Feedback from employers is particularly important when evaluating training. As technology creates jobs that require employees to have higher skill levels, knowledge of employer needs is crucial to training and curriculum design. To raise participant skills to the levels *required* for successful placements, the sub recipient must be aware of the needs of employers.

4. Reimbursement for Training

Participants may be reimbursed for documented tuition costs, training materials, and other related training costs such as travel costs when:

- (a) Efforts to obtain the training at no or low cost to the project have been unsuccessful
- (b) Internal policies of the sub recipient allow for such reimbursement and the policy applies equally to all participants; and
- (c) The training costs have been approved by the State in the sub recipient's budget or in writing

5. Schedules for Participant Training

Training for which participants will be reimbursed should be scheduled during normal business hours, if possible. This training may be conducted during the participant's normal work schedule. However, any training that participants are pursuing on their own that is not being reimbursed by SCSEP funds can be scheduled at their convenience. The sub recipient may change a participant's paid work schedule to accommodate unreimbursed training that will enhance the participant's skills and potential for finding an unsubsidized job. Training that is documented on the participant's IEP must be paid for when there is an associated cost.

K. Supportive Services

1. Purpose

The sub recipients are required to assess all participants' needs for supportive services and to make every effort to assist participants in obtaining needed supportive services. Supportive services may include but are not limited to payment of reasonable costs of transportation, health and medical services, special job related and personal counseling, incidentals such as work shoes, badges, uniforms, eyeglasses; and tools; dependent care; housing, including temporary shelter; needs related payments; and follow-up services.

2. Components

Supportive services may include, but are not limited to, all or some of the following:

- (a) Counseling designed to assist participants with their community service training assignments and with obtaining unsubsidized employment
- (b) Counseling designed to assist participants with health and nutritional matters, Social Security, Medicare benefits, and laws regarding retirement
- (c) Providing incidentals such as work shoes, safety glasses, eyeglasses, and hand

tools, if these items are required for participation on the program and are not available from local resources at no or low cost to the project (NOTE: Training sites should provide incidentals such as uniforms if participants are required to wear them.)

- (d) Instruction designed to help the participants in their community service training assignment
- (e) Periodic meetings that provide information to participants concerning health, job seeking skills, safety, and consumer affairs
- (f) Dependent care
- (g) Housing, including temporary shelter and needs based payments
- (h) Follow-up/retention services

3. Transportation Assistance

Reasonable costs of transportation are provided. Each situation is assessed for appropriateness by the sub recipient.

(a) Unallowable Travel Costs

The sub recipient do **not** reimburse a participant for the cost of traveling between home and the work-training site but may provide bus passes or transportation assistance during the first three month of participation and for the following circumstances if need is determined during the assessment process, e.g. cost of traveling between home and the work training site, mandatory meetings, and interviews. Participants are encouraged to budget SCSEP wages for travel costs.

(b) Allowable Travel Costs

The sub recipient are authorized to provide transportation assistance:

- (1) When the participant is assigned administrative duties for the sub recipient and travel is required to fulfill these duties; or
- (2) When a participant cannot attend meetings because public transportation is unavailable or inadequate.

In situation (1) above, the participant must be reimbursed for job-related travel in his or her privately-owned vehicle at the same rate received by other members of the sub recipient's administrative staff. The reimbursement may **not** exceed the current federally

authorized rate per mile.

Mileage reimbursement claims for participants in administrative positions must be documented in the same manner that they are documented for administrative staff members. If participants in administrative positions are required to carry additional liability coverage over and above the minimum liability coverage required by applicable State laws to conform to Federal contract requirements, they should be reimbursed for the additional premium cost. Documentation of the additional cost should be obtained by the sub recipient.

4. Resources

The sub recipient may use supportive services available under other titles of the Older Americans Act (OAA), particularly those administered by Aging and Disability Services Division and other community organizations. Additional resources in the local community may include:

Job-seeking assistance and job referrals from state employment service/one-stop centers

- (a) Counseling from mental health centers or family services
- (b) Housing assistance from housing agencies
- (c) Food stamps and emergency assistance from welfare agencies and social service programs
- (d) Financial counseling from non-profit agencies established to help people cope with high debts and financial emergencies
- (e) Nutrition Programs
- (f) Senior RX or Disability RX
- (g) CHIPS
- (h) SHIPS
- (i) Taxi Vouchers
- (j) Aging and Disability Resource Centers (www.NevadaCareConnections.org)

5. Referral Follow-Up

The Project Director or designee is required to follow-up on referrals to ensure that the participant actually receives assistance from the referral agency. The findings of the

follow-up contacts should be recorded on the participant's IEP or documented in the case notes.

L. Training Sites/Host Agencies

1. Definition of a Training Site

A training site is a public agency or a private 501 (c) (3) non-profit organization that provides training that will enhance the participant's skills and abilities, provide adequate supervision, and a safe work environment. A training site may also be called a host agency or host site.

2. Organizations Eligible to be a Training Site

- (a) The sub recipient may use **Federal, State, and local public agencies** as training sites for SCSEP participants. These public agencies may include, but are not limited to:
 - (1) Health departments, community mental health centers, and community hospitals
 - (2) Welfare departments, child and youth services, and adult services
 - (3) State employment security offices, vocational counseling and rehabilitation and social services
 - (4) Public schools and adult education programs
 - (5) Recreation departments, community development agencies, and housing authorities
 - (6) Police departments, juvenile courts, and circuit courts
 - (7) Federal agencies in local communities, extension services, and local tribal government agencies
- (b) The sub recipient may use **non-profit organizations** as training sites **if** they:
 - (1) Are recognized by the Internal Revenue Service (IRS) as meeting the requirements of Section 501(c)(3) of the Internal Revenue Code of 1986 that exempts the organization from taxation
 - (2) Are not a political party; and
 - (3) Do not occupy a facility that is used or will be used as a place for sectarian religious instruction or worship. An exception is made when the facility is

used for other purposes, e.g. nutrition site, head start, and no religious or sectarian religious instruction or worship is occurring while the participant is training.

The sub recipient must obtain a copy of the IRS letter that grants the prospective non-profit training organization 501(c) (3) status.

3. Training Site Application

Each agency interested in becoming a training site must provide pertinent information about the agency and its funding sources.

The sub recipient will review the information in the Site Agreement to determine if the organization meets the eligibility factors and if the site is appropriate for training older adults. The sub recipient should use the criteria listed in section 4(b) below to ensure that a diverse and high quality mix of training opportunities are available to SCSEP participants.

4. Selection of Training Sites

(a) Purpose

Projects should recruit a number of training sites to ensure a variety of skills training and work experience opportunities for participants. When training sites are distributed among public agencies and non-profit organizations, the community benefits more fully from the diverse backgrounds and skills participants bring to a project.

(b) Criteria for Selection

The following factors must be considered in the recruitment and selection of training sites:

- (1) Commitment to the goals and objectives of the SCSEP
- (2) Eligibility status of the agency or organization
- (3) Types of organizations available in the community for good project balance - Will the organizations selected concentrate training opportunities in only one or two service sectors? If so, consider additional organizations that provide other types of services.
- (4) Type of job training the site can provide for program participants' -Is the

training meaningful? Do they offer opportunities for participants to enhance their occupational and interpersonal skills and be transitioned into unsubsidized employment?

- (5) Training capacity of the organization or agency - Will the participants receive the type of training that is needed for them to be competitive in the local job market?
- (6) Capacity of the training site staff to supervise participants - Will participants receive adequate supervision and encouragement?
- (7) Attitudes of the training site staff about individual employment plans (IEP), reassignments, transfers and unsubsidized placements of participants -Will the staff encourage participants to accept new training assignments or placements in private-sector jobs?
- (8) Potential for permanent employment of the participant at the training site - Will the training sites consider the participant for a permanent placement with their agency? Will the organization seek additional funds to hire a participant?
- (9) Role of the participant within the agency - Will the participant be given the same consideration and treatment as other staff members?
- (10) Willingness to complete necessary paperwork - Will the training site staff submit the required forms and reports in a timely manner, e.g. timesheets, participant evaluations?
- (11) Willingness to prepare a comprehensive training assignment description (TAD) - Will the training site supervisor be willing to renegotiate the job description when the participant learns new skills or is ready to handle new duties?
- (12) Ability of the organization to provide a safe working environment with adequate space and equipment for the participant to do the job - Is the work area clean, obstacle free and orderly
- (13) Willingness of the organization to allow time for participants and supervisors to attend mandatory SCSEP training meetings - Are they willing to provide transportation assistance if needed?

- (14) Willingness to sign the Training Site Agreement - Will the training organization staff agree to support the participant's work experience and employment goals?

5. Responsibilities of the Training Site Agency

Training sites must:

- (a) Develop a training assignment description (TAD) jointly with the sub recipient for each participant
- (b) Meet all Maintenance of Effort requirements (see Section O for these requirements)
- (c) Consider participants for every training opportunity for which they qualify and employ them in their current positions (or similar ones) when funds become available
- (d) Encourage and assist participants with their ongoing job searches
- (e) Actively support the participant's individual employment plan (IEP) goals
- (f) Provide orientation to the training site, its activities, and the participant's day-to-day responsibilities
- (g) Provide a copy of the training assignment description to the participant and the participant's supervisor before the assignment begins or by the first day of work
- (h) Provide supervision and training as outlined in the training assignment description (TAD)
- (i) Permit the participant to attend required meetings and training provided by the SCSEP agency and, when practical, furnish transportation to these meetings
- (j) Make no changes in a participant's work schedule, tasks, supervisor, place of work, or status without notifying and receiving approval from the SCSEP sub recipient
- (k) Report to the SCSEP staff any difficulties that cannot be satisfactorily resolved or which could hinder completion of the training plan
- (l) Assist the monitoring and evaluation processes by conferring with the project monitor during site visits or contacts
- (m) Furnish any tools, equipment, or supplies required by the participant to perform training assignments;
- (n) Provide the SCSEP program with time and attendance records, activity reports/evaluations, and accurate in-kind contribution records on a timely basis

- (o) Provide safe, sanitary, and drug-free working conditions and any necessary employee liability coverage to the extent required by law and complies with Section 504 of the Rehabilitation Act of 1973
- (p) Report all on-the-job accidents by calling the SCSEP agency staff within 24 hours of the incident
- (q) Complete a supervisor's accident report and provide requested follow-up information and reports
- (r) Ensure that participants work no more than the total number of hours authorized by the SCSEP agency (Volunteer or over-time hours are prohibited. If hours in excess of authorized hours are worked, whether requested by the agency or volunteered by the participant, the Training Site Agency shall be solely responsible for wages as required by the Fair Labor Standards Act.)
- (s) Attend training supervisors' meetings as scheduled by the SCSEP agency;
- (t) Not displace any current employee or volunteer with a participant, or assign a participant to perform the tasks of an employee on layoff, or replace a Federal or state funded position (other than SCSEP) with a participant
- (u) Prohibit discrimination on the basis of race, color, religion, sex, national origin, handicap, age, political affiliation or opinion, or ancestry
- (v) Ensure compliance with the nepotism policy mandated by the SCSEP
- (w) Not allow participants to be involved in any activity that could be construed as political in nature or that will benefit any private profit-making firm or any organization that maintains, operates, or constructs any facility used as a place for sectarian religious instruction or worship
- (x) Support transfers to other sites that will provide participants with new opportunities to upgrade skills and achieve their goals

The sub recipient should discuss these responsibilities thoroughly with the Training Site Agency **before** completing the Training Site Agreement.

6. Training Site Agreement

(a) Purpose

The purpose of the training site agreement is to clarify the responsibilities of both the training site agency and the sub recipient. The agreement describes how the two organizations will work together to support the goals and objectives of the SCSEP

project and the participant.

(b) Requirements

All participating training sites must complete and sign a Training Site Agreement. The agency's Executive Director or a person in a corresponding position must sign the agreement annually. The original is retained by the sub recipient and the training site agency is given a copy for its files.

No Training Site Agreement may be negotiated for a period exceeding the ending date of the sub recipient's grant period. The agreement must be renewed at the start of a new grant period. For example, if the programs grant period ends June 30, then the training site agreement must be renewed on July 1.

7. Location of the Training Site

The sub recipient must assign participants to training sites in or near the communities where they reside. Whenever possible, training site assignments should be offered within the service area of the sponsoring organization. If no training sites are available in the local community, opportunities may be sought in contiguous communities, including across State lines where employment centers exist. These sites must be within a reasonable distance from the participant's residence.

M. Training Site Assignments

1. Purpose

The purpose of the training aspect of the SCSEP is to prepare participants for unsubsidized employment while providing services to the community either through the expansion of existing services or the establishment of new ones.

2. Requirements

Allowable training site assignments include:

- (a) Positions developed and supervised by the sub recipient and
- (b) Positions established in consultation with an eligible training site agency which will be supervised by the staff of the training site agency.

All training site assignments must be developed with regard to the participant's skills, abilities, and interests and with the intent of preparing the participant for an unsubsidized

employment position.

3. Limitations on Training Site Assignments

Priority should be given to training site assignments which

- (a) Deliver services to the low-income elderly and the elderly in general, or
- (b) Provide services to the economically disadvantaged in the local community
- (c) To support SCSEP's objective to promote community service, priority should be given to training assignments where participants are delivering services directly to the community rather than clerical, maintenance, or other support roles.

4. Evaluation Criteria

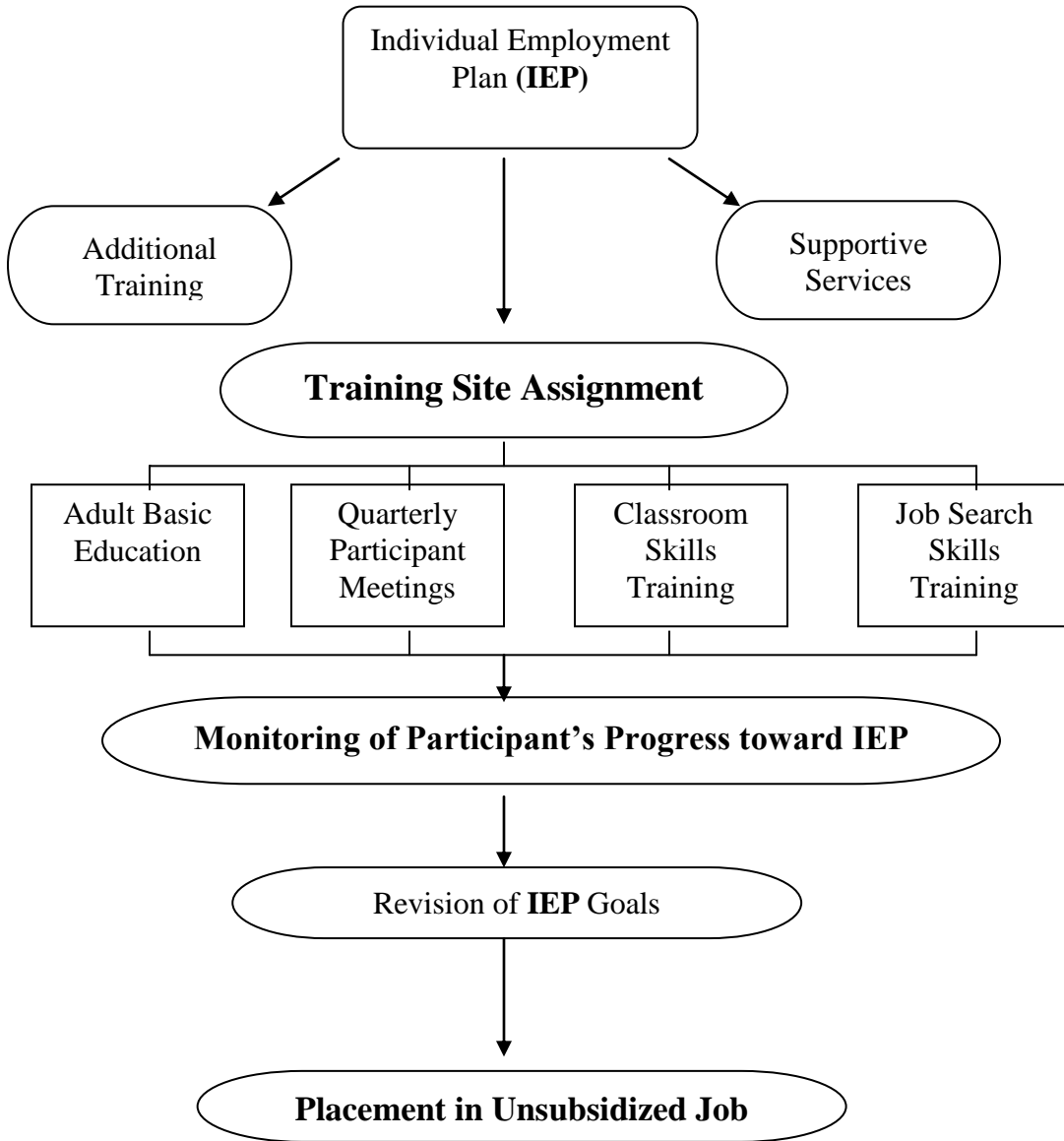
Training site assignments should be evaluated using the following criteria:

- (a) The appropriateness of the Training Assignment Description (TAD) with respect to the participant's skills, abilities, and interests
- (b) The contribution the assignment will make to the development of the participant's occupational skills
- (c) The likelihood that the participant will obtain unsubsidized employment after a reasonable period of time on the training assignment
- (d) The amount and level of training to be provided by the training agency staff
- (e) The opportunities the assignment will provide for career advancement
- (f) The innovative nature of the services to be offered
- (g) The training assignment supports community service

5. Diagram of SCSEP Training Process

A flow chart of the SCSEP training process follows.

SCSEP Work Training



N. Training Assignment Description (TAD)

1. Purpose

The participant's IEP should be the basis for the training assignment. With input from the participant, the sub recipient and the training site agency should work together to develop a training assignment description (TAD) that will result in the most effective use of the participant's interests, skills, and abilities. The TAD is comparable to a job description.

2. Requirements

The training assignment description (TAD) must be explained during orientation and completed before a participant begins his or her training assignment. The TAD must contain the following:

- (a) A summary that clearly states the expected outcome of the training assignment
- (b) A list of the tasks required by the training assignment written in measurable terms so the participant's work performance can be assessed
- (c) A description of the tasks the participant needs to complete and the skills the participant must develop to be competitive in the private-sector job market (This description should be based on the participant's employment goal and stated in the standard terminology used in the workplace)
- (d) A task of 'other duties as assigned' is not permitted

The sub recipient staff **shall monitor TADs on an ongoing basis** and update them as needed.

3. Limitations on Training Site Assignments

The sub recipient' training site assignments are limited in the following ways:

- (a) Participants may not be assigned to projects involving the construction, operation, or maintenance of any facility used or to be used as a place for sectarian religious instruction or worship.
- (b) Participants may not work on projects, which primarily benefit private, profit-making businesses except in cases where the participant is assigned On-the-Job Experience or specialized training.

O. Maintenance of Effort Requirements

Employment of participants funded under this project should only be in addition to employment that would otherwise be funded by the sub recipient or training site without SCSEP assistance. All activities funded under this project:

Should result in an increase of employment opportunities in addition to those that would otherwise be available. Must not reduce the number of employment opportunities or vacancies that would otherwise be available to individuals not participating in the program

- (a) Shall not result in the displacement of currently employed workers, including partial displacements such as reductions in hours of non-overtime work, wages, or employment benefits
- (b) Shall not employ or continue to employ any participant to perform work the same or substantially the same as that performed by any other person who is on layoff
- (c) Shall not impair existing contracts for services or result in substitution of Federal funds for other funds in connection with work that would otherwise be performed; and
- (d) Shall not substitute SCSEP jobs for existing Federal or state assisted jobs.

The training site supervisor must sign the Training Site Agreement asserting that the training position provides a new or expanded service and is not in violation of the Maintenance of Effort policy established by the Department of Labor.

P. Community Service Work Training Assignments

1. Maximum Hours of Work

Each participant shall be given a work schedule, and it must be followed. A copy of the work schedule shall be placed in the participant's file. Participants will generally be assigned to no more than 20 hours per week of community service training. However, the sub recipient may temporarily increase or decrease participant hours, if necessary. Participants must understand that changes in hours are a temporary situation.

A participant may not volunteer to do extra work at a training site. Extra work for pay at a host site agency is considered employment and the participant must be exited from the SCSEP. A participant also may not get paid to work hours beyond their regular training schedule, without approval of the sub recipient agency.

2. Supervision of the Training Site

Supervision of SCSEP participants is a fundamental responsibility of the training site supervisory staff. The training site must provide the participant with adequate orientation and instruction about his/her responsibilities and safe work habits.

Supervision shall be provided on a daily basis. Further, SCSEP participants shall receive supervision and training at the same rate (more frequently if necessary) as regular employees who perform comparable jobs. Supervisors will complete at least an annual

participant evaluation. Ensuring adequate and effective supervision is one of the sub recipient's monitoring responsibilities.

3. Participant Attendance at Training Site Staff Meetings

The sub recipient should encourage training site agencies to include SCSEP participants in their regular staff meetings. This practice allows participants to learn about agency-initiated projects and to actively participate with other employees on these projects. In addition, it gives the employees of the training site agency an opportunity to get to know the SCSEP participants and accept them as coworkers.

4. Duration of Enrollment

Individual Durational Limit

The State of Nevada has implemented a durational limit policy that adopts the 48 month limit on all participants with the possibility of a waiver for a least one or more of the qualifying factors. The clock for this measurement started on July 1, 2007. A participants' prior time in the project does not count. The sub recipient must terminate any participant who reaches the 48 month durational limit, unless a waiver is in place. NOTE: Participants are not automatically entitled to remain in the program for 48 months.

SCSEP participants are encouraged to complete their job readiness training and obtain unsubsidized employment within 27 months or less of enrollment in the program or as soon as they become job ready in order for the sub recipient to meet the Average Project Durational Limit of 27 months. The Individual Employment Plan (IEP) will address individual goals and timelines for obtaining unsubsidized employment.

Participants will be provided a copy of the SCSEP Individual Participant Durational Limit Policy during orientation and annually at recertification. The host site agency will be provided a copy of the SCSEP Individual Participant Durational Limit Policy during orientation and with the host site agreement. The participant and the host site supervisor will sign a form affirming that they received and read the policy.

Active participation in the regular SCSEP and Recovery Act (ARRA) funded programs will count toward the individual durational limit. Approved breaks will not be counted toward the individual's durational limit.

The SCSEP sub recipient will track individual participation and notify participants in writing when they are within 12 months of reaching their individual 48 month durational limit. To qualify for a waiver, at least one of the following factors must apply to the participant and be documented in the program year in which the 48 month limit is reached and be verified by local, state and regional SCSEP staff:

- Severe disability
- Frail
- 75 years of age or older
- Low literacy skills
- Old enough for, but not receiving Social Security Title II
- Severely limited employment prospects in a county of persistent unemployment
- Limited English proficiency

SCSEP participants who have reached their 48 month durational limit and are not eligible to apply for a waiver or who have been denied a waiver will be terminated from the program with 30 days written notice. Any relevant documentation will be placed in the participants file.

To ensure that participants maximize their accomplishments while in SCSEP, the participant will be assessed every 6 months to ascertain job readiness, to identify barriers to gaining employment and to identify additional training and supportive services needed. The participant will be enrolled in training programs to enhance current skills or help them attain new job skills. The participant may be transferred to a new host site if there is the potential for new work skills to be obtained. The Individual Employment Plan (IEP) will be updated and goals and timelines reevaluated at least every 6 months. If employment is not attained before 42 months of SCSEP participation, in the 42nd month, the sub recipient staff and the participant will develop an exit transition IEP that will plot the participant's exit strategies. The Exit Transition IEP will include the following services from the SCSEP sub recipient staff:

- Assist participants with resumes, interview skills, referral to job openings and job fairs and the utilization of the computer learning center to assist participants in job search to help them gain employment using various career and job resources. Identify supportive services that will aid the participant in their transition out of SCSEP, e.g. subsidized housing, energy assistance, food stamps, SSI and Medicaid.
- Assist participants if requested, to develop a Post-SCSEP budget that does not include SCSEP wages.
- Referral as appropriate to Nevada's Job Connect "One Stop" centers, other Workforce Innovations Opportunity Act partners and other organizations that will help them in their transition out of SCSEP but remain active and maintain connectivity to the community, e.g. Senior Companion, AmeriCorps, American Red Cross, Volunteers of America.

- With the written permission of the participant, staff may alert the participant personal support system, e.g. family, case workers, to their loss of income from SCSEP and increased need for support. This should be documented in the transitional IEP.

5. Operating Motor Vehicles for the Training Site Agency

a. Requirements

Only staff members are allowed to operate a motor vehicle.

6. On-the-Job- Experience (OJE) Training

The main goal of the OJE project is to enhance the job training opportunities for eligible participants in the State of Nevada SCSEP

a. Characteristics of eligible OJE participants

1. Each participant must meet all eligibility criteria for enrollment in the SCSEP
2. Each participant must have completed the assessment, the IEP and a placement into a community service position of at least two (2) weeks paid SCSEP work hours
3. The participant's IEP shows a goal of obtaining an unsubsidized job with a public or private employer that requires specific skills that may not be available or attainable through a regular community service assignment. The IEP will help determine the OJE assignment
4. The participant is willing to undertake the OJE training experience up to a maximum of 40 hours per week for the designated training period
5. The potential OJE participant is prepared to cooperate with both the State of Nevada SCSEP and the OJE's employer's training and follow-up guidelines
6. The participant agrees to participate in the OJE training only once in any 12 month period
7. The participant has one or more job skills that need to be updated, redirected or enhanced in order to obtain a better unsubsidized job opportunity

b. Types of OJE Employers

The State of Nevada proposes to target the following potential employers.

1. Health care providers – public and for profit hospitals, long term care facilities, group health providers and home health agencies
2. Hospitality and tourism industries
3. Not for profit human service organizations
4. Security and maintenance service employers
5. Retail and service industries
6. Transportation

These employers are targeted because in State of Nevada SCSEP’s experience they can provide better job opportunities for minority and limited English speaking participants.

c. Proposed OJE employer training structure

The State of Nevada SCSEP proposes to use two formats for establishing OJE training opportunities with potential employers. A selected employer may choose one of two training options. Each option determines the State of Nevada SCSEP method of reimbursement.

Option A:

State of Nevada SCSEP will pay all participant payroll hours/costs including Workers’ Comp for a maximum on one (1) month OJE training.

Option B:

State of Nevada SCSEP will reimburse the employer up to 40 hours of participant pay for a maximum of one (1) month of intense OJE training. If the OJE is approved beyond 4 weeks, not to exceed 12 weeks of training, the potential employer will only be reimbursed up to 50% of the participant wages.

Each employer will be reimbursed the minimum wage rate for the state in which the project operates. If the employer pays a prevailing wage rate, the State of Nevada SCSEP will reimburse a negotiated “not to exceed” wage rate with that employer.

Prior to assignment to the OJE employer, State of Nevada SCSEP staff will visit each location where the SCSEP participant will work. This site visit will review

work sites to assure safe and sanitary working environments for the SCSEP OJE participants.

Each OJE employer will agree to hire the SCSEP participant after the training period and retain the participant in a permanent part time or full time job at the end of the training period if the participant has performed satisfactorily.

The OJE employer must agree to participate with the State of Nevada SCSEP in monitoring training bench marks, and follow-up after the training ends.

The State of Nevada SCSEP will contract with an OJE employer no more than five (5) times in a 12 month period for the same job category.

d. State of Nevada SCSEP assurances during OJE training

1. State of Nevada SCSEP will assure that each SCSEP participant will only be eligible for OJE placement once (1) during a 12 month period.
2. Will monitor OJE employers, to assure that SCSEP participants are placed in safe and sanitary working conditions, and are being provided the proposed training opportunities. State of Nevada SCSEP will also monitor the OJE employer and SCSEP participant in order to resolve questions and or potential conflicts.
3. The State of Nevada SCSEP provides workmen's compensation insurance coverage for each participant.
4. State of Nevada SCSEP will create OJE participant files that will include eligibility and compliance documentation, assessment, IEP, the OJE training goals, employer contract and follow-up monitoring information, as well as unsubsidized placement compliance documents.
5. State of Nevada SCSEP will create OJE employer files, that will include employer profile, contact information, copy of employer contract, proposed training for OJE participants, proof of workmen's compensation insurance, proof of liability insurance coverage naming State of Nevada SCSEP as additional insured, and copies of successful OJE placements.

The State of Nevada SCSEP sub recipient will assure that no active SCSEP Host Agency will be used for the OJE project. No active Host Agency will receive an OJE contract.

Q. Monitoring of Training Sites

1. Requirements

The sub recipient must visit training sites at least annually. A written summary of each monitoring visit must be prepared for the sub recipient; participant's and host site records. A copy of the monitoring will be made available to ADSD staff upon request.

Staff should discuss the following items with the participant and his or her supervisor during the monitoring visits:

- (a) **Participant's duties** - review the training description as outlined in the training assignment description (TAD) and compare to the tasks the participant is actually doing
- (b) **Supervision** - evaluates the supervision the participant receives to determine if it is appropriate considering the participant's abilities and assigned tasks
- (c) **Participant's development** - review the progress the participant has made on the IEP action steps
- (d) **Training** - review the training the participant has received since the last visit and identify additional training needs
- (e) **Safety factors** - review the steps taken to ensure participant safety
- (f) **Supportive services** - identify and/or review any supportive services the participant needs or receives
- (g) **Additional factors** - identify any issues that have arisen for the participant or the supervisor since the last monitoring visit

2. Safe Working Conditions

The Older Americans Act and Federal regulations require that SCSEP sponsors create and maintain safe working conditions for participants.

(a) Sub Recipient Responsibilities for Safety

To ensure participant safety, the sub recipient must:

- (1) Conduct a safety review of each new training site and at least once a year thereafter
- (2) Conduct a safety review each time a new SCSEP participant is assigned to the training site
- (3) Provide training to participants on safe work practices and encourage them to use these practices at all times at their training sites

- (4) Advise participants to report unsafe work conditions to their supervisors for corrective action
- (5) Encourage participants to report unsafe conditions that have **not** been corrected to the SCSEP monitor
- (6) Promptly follow up with the training site supervisor to resolve any unsafe or unhealthy conditions;
- (7) Provide accident report forms to all training sites and review the forms with participants and training site supervisors to ensure that they know how to complete them
- (8) Keep a copy of all accident reports
- (9) Use the Host Agency Safety Monitoring Guide (see Appendix A) for the annual safety review and file the checklist in the training site record.
- (10) Follow up on all corrective actions that need to be taken as identified in the annual review.

(b) Responsibilities of Training Sites for Safe Workplaces

To provide a safe place for each participant to work, the training site must

- (1) Promptly correct any unsafe working area or unhealthy condition that a participant is exposed to
- (2) Immediately report any accident or injury that involves an SCSEP participant to the sub recipient's Project Director (e.g.: Failure to report a participant's accident or injury may make the training site ineligible for continued participation in the SCSEP)
- (3) Promptly prepare a written accident report and send it to the Project Director
- (4) Include all SCSEP participants in any safety training given to regular staff members' - especially training on how to use safety equipment, first aid kits, and fire extinguisher.

3. Monitoring Documentation

(a) SCSEP Monitoring Report

The SCSEP Annual Monitoring Report should be completed following the training site visit and filed in the participant's & host site record. Items needing follow-up should be noted in the monitoring report.

(b) Training Site Evaluation Form

The effectiveness of the training site should be assessed annually. The Training

Site Evaluation Form should be used to document the annual assessment, and then placed in the training site record.

Training site evaluations can assess the amount and quality of supervision and training participants receive, the efforts the site makes for participant development, and the training site's commitment to participants and SCSEP project goals.

4. Training Site Transfers

Participant growth and development is the primary focus of the training site assignment. A training site monitoring or technical assistance visit may identify a participant who can increase his/her chances for unsubsidized employment through a new training assignment. A training site transfer can provide the participant with opportunities to learn new skills and can create new possibilities for unsubsidized employment.

a. Reasons for Transfer

Upon review of the Individual Employment Plan (IEP), a sub recipient may develop an alternative training assignment or host site transfer for a participant under the following circumstances:

- (1) When a different training assignment will provide greater opportunities for the participant to use his or her skills and aptitudes
- (2) When an alternative training assignment will provide work experience that will enhance the participant's potential for unsubsidized employment
- (3) When a different training assignment will serve the best interests of the participant or host agency
- (4) The host site supervisor requests the participant be moved (written request preferred)
- (5) The participant requests to be moved
- (6) The Project Director requests the participant be moved

A training site transfer should be the result of a careful evaluation of the participant's progress.

(b) Factors to Consider

The training site monitor is responsible for assessing the participant's progress at the training site and making recommendations about training site transfers. The

following factors should be evaluated:

- (1) The requirements of the participant's training assignment
- (2) The training being provided to the participant
- (3) The level of the participant's skills and abilities
- (4) The possibility of upgrading the participant's assignment at the current site
- (5) The participant's general job performance
- (6) The location of the training site in relationship to the participant's residence
- (7) The participant's progress toward meeting his or her IEP goals
- (8) The amount of support and encouragement provided by the training site supervisor to motivate the participant to reach his or her training and employment objectives
- (9) The possibility that the training site will hire the participant
- (10) The possibility of additional training at the current training site

After evaluating these factors and discussing the suitability of the current training assignment with the participant and the training site supervisor, the project staff will update case notes and the enrollee development record to indicate that the participant either remain in the current assignment, be upgraded at the current training site, or be transferred to another training assignment.

The Project Director will approve or disapprove the recommendation.

(c) Implementing a Training Site Transfer

When a training site transfer is approved, the following procedures apply:

- (1) The participant and the training site shall be notified in writing at least 30 days prior to the transfer.
- (2) All objections to the transfer must be made in writing before the date of the transfer. The objection and other related materials should be sent to the Project Director.
- (3) Project staff must identify new training sites that are within a reasonable driving distance of the participant's home.
- (4) New training sites must offer increased opportunities for skills development and unsubsidized employment.
- (5) Project staff will schedule a conference with the participant to determine the most suitable training site and a tentative date for the transfer.
- (6) Project staff shall notify the participant's existing training site and

- the new training site of the transfer date.
- (7) Documentation of the transfer should be filed in the participant's record.
 - (8) Project staff and the new training site supervisor will provide the participant with an orientation to the new work training assignment.
 - (9) To facilitate a smooth transition from one training site to another, additional support services or referrals to other community agencies should be provided when needed.
 - (10) A new SCSEP Community Service Assignment Form is completed.

R. Participant Status, Wages, and Fringe Benefits

1. Status of Participants

Individuals who participate on any SCSEP project funded by Title V of the Older Americans Act (OAA) are not Federal or State employees at any time during their program participation.

2. Wages Paid to Participants Attending Orientation or Training

SCSEP participants attending orientation or training shall be paid the Federal, State, or local minimum wage, whichever is higher.

3. Wages Paid for Work on Community Service Training Assignments or OJE

While engaged in productive, part-time community service work under the project, SCSEP participants shall receive wages at a rate no less than the highest of the following:

- (a) The current minimum wage as established by the Fair Labor Standards Act, as amended
- (b) The State or local minimum wage for the most nearly comparable covered employment
- (c) The prevailing rate of pay for persons employed in similar occupations by the local project sponsor

NOTE: Minimum wage must be implemented when it occurs (do not wait until the new grant year).

4. Fringe Benefits

Fringe benefits shall be administered uniformly to all participants within a project.

(a) Required Benefits

Fringe benefits that must be provided to participants employed under a project shall include:

- All fringe benefits required by law and by Federal regulations, e.g. FICA
- Physical assessments; and
- Workers' compensation coverage.

A discussion of physical assessment and workers' compensation coverage follows.

(1) Physical Assessment

A physical assessment shall be offered to each participant annually. The physical assessment is a fringe benefit, not an eligibility factor. The examining physician shall provide, to the participant only, a written report of the results of the assessment. If the participant offers to provide a copy of the report to the sub recipient, they will decline the offer. The sub recipient is not entitled to a copy of the results of the physical and should not maintain a copy in the participant's files. The results are the property of the participant only.

Physical Assessment Waiver: A participant may refuse the physical assessment. The sub recipient must document the refusal with a signed waiver or in the case notes. The waiver must be signed within 60 work days after the participant begins a community service assignment. Participants may refuse subsequent annual exams, but a signed waiver or case notes must document each refusal.

(2) Workers' Compensation

The sub recipient shall provide workers' compensation coverage for participants. When participants are not covered by State workers' compensation laws, OAA requires that the sub recipient shall provide participants with workers' compensation benefits equal to that provided by law for covered employment.

(b) Allowable Benefits and Approved Break Policy

The following fringe benefits shall be administered uniformly to all participants:

- Sick leave that is not part of an accumulated sick leave program.
 - If the participant is to be out due to health reasons or other personal reasons for longer than 3 days, the sub recipient may place the participant on approved leave. The leave will be documented in the case notes and into the appropriate fields in SPARQ. If the participant is out for 3 days or longer, the sub recipient may require a doctor's note indicating that the participant is able to return to the training site.
- Sub recipients must provide compensation uniformly to participants for recognized federal holidays which will include:
 - New Year's Day
 - Martin Luther King
 - Presidents Day
 - Memorial Day
 - Independence Day
 - Labor Day
 - Columbus Day
 - Veterans Day

- Thanksgiving Day
- Christmas Day

If the sub recipient agency federal holiday schedule allows time off for the federal holiday, the participant is paid for the holiday. If the host agency site is closed for a holiday not on the sub recipient federal agency holiday schedule, participants are allowed to make up the hours.

If the host agency is closed on additional holidays (e.g. the day after Thanksgiving), the participant shall have the opportunity to make up those hours.

In the event a host agency cannot accommodate the participants rescheduled holiday hours, the sub recipient is to arrange for approved activities for the participant that is consistent with their IEP. These activities are to be added to the IEP or documented on the timesheet.

All holiday hours must be accounted for within the pay period for which the holiday takes place.

- Leave without pay (Approved break)

Breaks in Participation Policy

Participants must notify the Project Office if they will be away from their assignment for any reason and for any length of time. Participants who choose to take time away from their assignment must do so with the understanding that:

- Their position may not be available upon their return and they may need to wait until sufficient resources are available to reassign them.
- They may not be able to go back to their former work training assignment.
- Depending on whether the absence is due to circumstances outside the control of the participant, they may not be allowed to make up the missed time.

Approved breaks should only be used in the following circumstances:

1. Health/Medical issue
2. Family care issue
3. Workers Compensation
4. No suitable assignments available
5. Legal reasons

Approved breaks are not authorized for:

1. Routine missed days or taking vacation
2. Holding place for participants who have disappeared or abandoned their assignment. Those participants who have disappeared or abandoned their assignment would likely be an Involuntary Termination for Cause.

3. To extend Entered Employment opportunities

Time Limits (60 Days) for Some Approved Break Reasons

Health/Medical or Family Care

- Approved break for health/medical or family care shall not exceed 60 days from the first day missed.
- If the participant has not returned within 60 days they must exit from the program as a Voluntary Separation-Voluntary – Retirement unless the Health Family Care Separation form has been received in which case they would be exited as a Voluntary Separation for Health/Medical.
- If the participant is to exit for Cause, no 30 day Pending Termination is required and instead, the participant can be exited immediately because the participant has already received notice of termination from the 60 day letter sent to the participant when they were first placed on Approved Break.
- The Exit date will be the date after the 60 days has expired.

Workers Compensation or No Suitable Assignment or Legal Reasons

- Approved break due to Workers Comp, No Suitable Assignment Available or other legal reason do not have a definitive time limit and should be reviewed periodically with the Regional Manager.
- If it decided that the participant is to be exited, the participant may not be exited immediately and instead they must be first placed in Pending Termination and 30 days Pending Termination Letter must be sent to the participant. The participant will be terminated from SCSEP no earlier than 30 days after the date is provided with the 30 day notice of termination letter.

Other

All sick leave or paid holidays must be paid before the end of the program year (June 30). Benefits do not carry forward to a new program year.

The sub recipient must provide the State with a written policy regarding its procedures for providing sick leave, paid holidays and leave without pay, if applicable.

(c) Unallowable Benefits

The following benefits are not to be compensated with SCSEP funds:

- Retirement system or plan contributions
- Pension benefits
- Annual leave
- Accumulated sick leave
- Bonuses

S. Placement into Unsubsidized Employment

The State requires the sub recipient to work diligently to help job-ready participants find jobs in the private and public sectors. Diligent action helps participants with career advancement and increases the number of individuals who may be enrolled and served by the program.

1. Counting Entered Employment

The Common Measure entered employment requires that the former participant have earnings in the first quarter after the quarter of exit to be counted as an unsubsidized employment placement.

For the purposes of the data collection system and performance measures, a quarter always means a calendar quarter: July 1-September 30; October 1-December 31; January 1-March 31; and April 1-June 30. The Common Measures refer to the quarter after the quarter in which the participant exits.

2. Entered Unsubsidized Employment Goal

The State of Nevada negotiates the Entered Unsubsidized Employment goal annually with Department of Labor staff. If a sub recipient does not reach at least 80 percent of the negotiated goal during an annual program performance period, the sub recipient shall submit a plan for corrective action. The plan must clearly describe the steps that will be taken to ensure that the goal will be met in the future.

3. Methods to Achieve Entered Employment Goal

The sub recipient may use the following methods to reach the placement goal:

- (a) Contacting or networking with private or public employers for the purpose of job development
- (b) Encouraging training sites to hire participants as regular employees
- (c) Providing assistance to participants seeking unsubsidized employment through job search skills training, job clubs, and job referrals, and by arranging job interviews
- (d) Coordinating with State employment agencies/Job Service offices, WIOA providers, one-stop career centers, and other employment and training programs
- (e) Reaching out to the employment community through advisory councils, public service announcements, flyers, brochures, and hot lines

4. Recording Unsubsidized Employment Placements

An unsubsidized employment placement must be reported on the Unsubsidized Employment Form and entered into SPARQ.

The sub recipient shall use the Unsubsidized Employment Form to record placement information. The Unsubsidized Employment Form is located in Appendix A.

If a participant is placed after he or she is terminated, the placement may be counted by the project if the placement occurred within 90 days of the termination and if the placement can be attributed to assistance the individual received from SCSEP. For instance, if a former participant received job seeking skills training and then finds a job, the placement can be counted by the sub recipient.

However, if the former participant cannot be confirmed as still employed after 30 calendar days, the placement should be reported as *other terminations* in the current quarter. If the former participant can be confirmed in the subsequent quarter as still employed after 30 calendar days, the placement may be counted on that quarterly report.

- 5. Unsubsidized Employment Employer Satisfaction Surveys and Follow Up**
Unsubsidized employment Employer Satisfaction Surveys (when substantial services have been provided and noted on the OMB Unsubsidized Employment Form) and follow ups are required to ensure the success of the placement to obtain information to measure achievement of the negotiated goals for retention, average earnings and retention at 1 year.

Employer Satisfaction Survey Policies and Procedures

A member of the sub recipient's staff must contact the employer **30 days after placement**. A numbered Employer Satisfaction Survey and an envelope addressed to the DOL contractor is delivered to the employer.

- The sub recipient enters data of delivery into the SPARQ database (field 23)
- The sub recipient enters the survey number and other necessary information into the Excel spreadsheet tracking form to facilitate tracking of survey response. See Employer Survey Tracking Form (Appendix A)
- Sub recipient sends a copy of the tracking form to the grantee at least monthly to notify the grantee that the survey has been delivered
- The grantee notifies the sub recipient weekly of whether the survey is completed and returned to the DOL contractor
- If the survey is received by the DOL contractor, the sub recipient then updates the tracking form and SPARQ database (field 26f)

If the survey is not received, the sub recipient delivers a 2nd survey to the employer.

- Sub recipient enters new preprinted survey number into the SPARQ database (field 24)
- Sub recipient updates tracking form with survey number and other necessary information

- Sub recipient sends updated tracking form to grantee to notify it that the second survey has been delivered
- Grantees notifies sub recipient weekly of all surveys completed and returned
- Sub recipient monitors the list of surveys completed and updates the tracking form and SPARQ database (field 26f)
- If a third survey is required, the sub recipient repeats instructions for second survey

SCSEP Follow-up Policies and Procedures

Three required follow-ups are to be conducted. Results of the follow-ups are to be recorded in the SCSEP Performance and Results Quarterly System (SPARQ). Each follow-up must be completed in the program year in which the reporting quarter falls.

Follow-Up	Captures “Common Measure data for	Activity Period Covered	Reporting Period Covered	Scheduled Follow-Up date
1	Entered Employment	1 st quarter after exit	1 st quarter after exit quarter	1 st day of 1 st quarter after exit quarter
2	Retention and Average Earnings	2 nd and 3 rd quarter after exit quarter	4 th quarter after exit quarter	1 st day of 2 nd and 3 rd quarter after exit quarter
3	Retention at 1 Year	4 th quarter after exit quarter	4 th quarter after exit quarter	1 st day of 4th quarter after exit quarter

Regular follow-up can identify problems and give staff an opportunity to initiate actions to deal with them before a former participant is terminated or leaves a job.

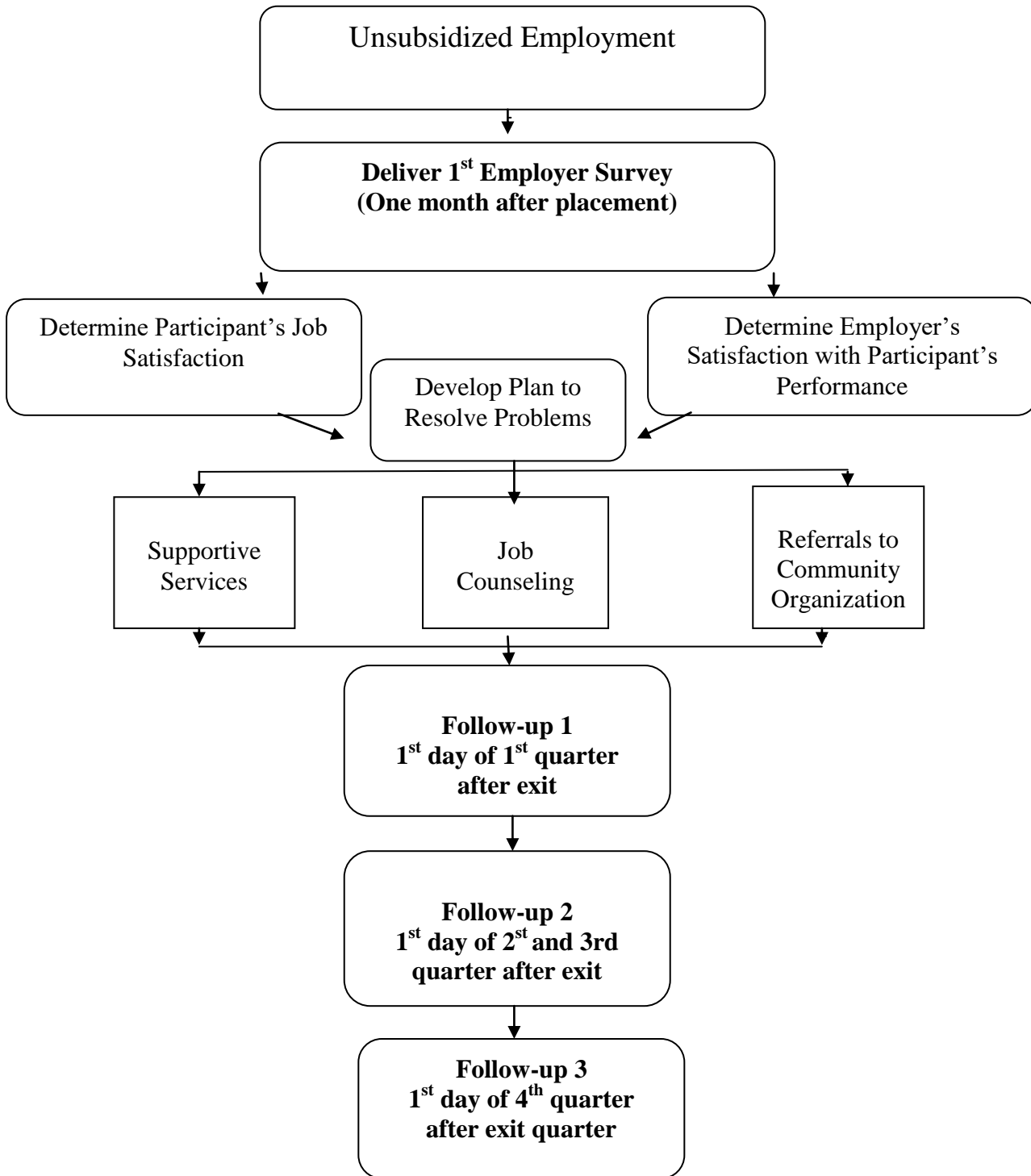
Follow-up contacts may be made by telephone, mail, or personal visit. During the follow-up contact, the Project Director or designee should:

- (a) Determine if both the former participant and the employer are satisfied with the placement
- (b) Identify any current or potential problem that could result in a termination of the former participant; and
- (c) Offer job counseling or referrals to community agencies, when appropriate, to resolve any issues
- (d) The SCSEP Unsubsidized Employment Follow-Up form and case notes should be used to document follow-up contacts. (See Appendix A for a copy of the form.)
- (e) Follow-up activities must be properly documented in the participants file.
- (f) Official records that establish that any wages were earned by the participant,

including but not limited to:

1. Written statement of earnings from the employer; or pay stubs
2. Signed self-attestation, if employer has not provided information on wages and reasonable effort (e.g. 3 unanswered calls or messages) were made by the sub recipient to obtain this information, Participant signed self attestation will be acceptable but all efforts must be case noted in the client's file

Employer Survey and Unsubsidized Employment Follow-up Process



6. Re-enrollment or Right of Return after Placement

Re-enrollment - Former participants who lose their unsubsidized positions through no fault of their own or due to illness, may be re-enrolled, provided that the re-enrollment occurs within one year of termination from the program and that they meet all required eligibility factors. Refer to IV. Policy and Procedures for Program Operations, Section B, Part Three of this manual for enrollment policies.

Right of Return – The right of return is limited to those participants who exit for unsubsidized employment but do not work for a total of 30 days within the first 90 days of exit. Participants are allowed to return to the program within 90 days without being subject to the reenrollment. Their exit is reversed, and they are treated as though they never left the program. Utilizing the right of return will void the exit for employment.

Reenrollments within 90 days of exit should be considered a Right of Return.

7. Participant and Host Site Satisfaction Surveys

The sub recipient will alert participants and host agencies that surveys will be sent to them in the mail by a Department of Labor (DOL) contractor. The DOL contractor will mail the surveys on behalf of the State of Nevada during the first week in January. Participants and host agencies are much more likely to read and respond to the surveys if they are aware that the surveys are coming and that the sub-grantees are part of the survey process. A DOL Subcontractor on behalf of the State of Nevada grantee, not the sub recipient, will mail the surveys.

To prepare participants and host agencies for the arrival of the surveys, sub recipient should use any in-person or telephone interaction with participants and the host agency contact persons to convey the following information.

- In January, SCSEP staff will ask participants and host agencies to complete a short, confidential survey to tell about their experience with SCSEP
- The survey notification letter (pre-survey letter) will be sent by the local SCSEP Project Director
- The state is very interested in the evaluation of services
- The survey information will be used to improve services to customers

- Host sites and participants should be encouraged to respond to the survey when they get it

Pre-survey letters from the sub recipient to participants significantly increase survey returns if the participant receives a pre-survey letter shortly before they receive the survey form from the State. This is because participants, unlike host agencies, do not understand their connection with the State of Nevada and tend to relate to SCSEP solely on the local level. A pre-survey letter template may be found in Appendix C. The letter should not be modified substantively without checking with the State. The sub recipient should send this letter to their participants. The letter should be prepared as follows:

- Printed on sub recipient/local project letterhead stationery
- Customized with the name and address of the participant
- Signed in blue ink by the sub recipient
- A postage stamp affixed to the envelope
- The Project Director's name in the return address field of the envelope

T. Termination

1. Participant Involuntary Termination Policy

Any time a participant is involuntarily terminated the following considerations will be applied fairly and equitably:

- Participants will not be terminated based on age (unless under the age of 55, and are therefore, unable to meet the eligibility requirements for SCSEP); State of Nevada will not establish an upper age limit for participation in the SCSEP.
- In most cases, participants will receive progressive discipline and an opportunity for corrective action before a formal termination notice is issued. However, State of Nevada reserves the right to terminate a participant from SCSEP without the use of progressive discipline. This policy is outlined in these sections:
 - Participant Corrective Action and Warning
 - For-Cause Terminations that Require Immediate Removal from Host Agency and Leave without Pay Pending Termination

- Participants will typically receive a 30 Day Notice of Termination Letter notifying them of the date of exit, the reason for the termination, and the right to appeal under State of Nevada’s SCSEP Grievance Procedures.
- Any participant provided with a termination notice will be informed about the State of Nevada SCSEP Grievance Procedures. Grievance procedures are also provided and discussed during the enrollment process.
- Participants will receive both a copy and a verbal explanation of the Involuntary Termination Policy during orientation.
- When a participant is terminated, except “for-cause” reasons (see below), the participant will be referred to the One-Stop and other local support agencies.
- Documentation will be completed on each issue that relates to involuntary terminations.

Participants may be exited from State of Nevada SCSEP involuntarily for 1 of 5 reasons:

- Being determined no longer eligible at recertification
- Being incorrectly determined eligible at enrollment or the annual recertification
- Reaching the maximum 48 months enrollment limit (Durational Limits)
- Becoming employed during enrollment
- For cause

A detailed description of each reason and appropriate actions follow:

(a). Termination Due to No Longer Being Eligible

Annually, or more frequently if there is a substantial change in circumstances, each participant is recertified to determine if he or she continues to be eligible for participation. During the recertification, a participant may be determined ineligible due to a change in eligibility criteria such as income, family of one due

to a change in disability status, employment status, number of household members, or residency.

- Action:

If this occurs, the participant will be notified and immediately sent a 30 Day Notice of Termination Letter and placed in Pending Termination “With Pay” (if the participant is receiving pay at the time of notification). The participant will be able to continue participating in the program (participant may return to their assignment) until the date of exit as noted in the letter. The participant will be terminated from SCSEP no earlier than 30 days after the date of the 30 day notice of termination letter.

(b). Termination Due to Being Incorrectly Determined Eligible

A participant will be terminated if, at any time, the participant is found ineligible for participation in the SCSEP because eligibility was incorrectly determined through no fault of the participant. For example, an error was made in recording or calculating includable income when determining eligibility during enrollment or at annual recertification.

- Action:

If this occurs, the participant will be notified regarding the error and immediately sent a 30 Day Notice of Termination Letter and placed in Pending Termination “With Pay” (if the participant is receiving pay at the time of notification). The participant will be able to continue participating in the program (participant may return to their assignment) until the date of exit as noted in the letter. The participant will be terminated from SCSEP no earlier than 30 days after the date the participant is provided with the 30 day notice of termination letter.

(c). Termination Due to Reaching the 48-Month Maximum Participation Limitation

A participant will be terminated when he or she meets the 48-month maximum participation date on SCSEP (Durational Limits).

- Action:

If this occurs, the participant will be notified in writing and in their follow-up IEP assessment and transition meetings approximately six months in advance of the separation date. Project Site Staff will review and update the participant's IEP with transition actions approximately six months in advance. The participant will also be sent a 30 Day Notice of Termination Letter a minimum of 30 days before the 48 month maximum participation date. The participant will be able to continue participating in the program (participant may return to their assignment) until the date of exit as noted in the letter.

Project Site Offices will complete the Transitional IEP 6 months prior to the durational limit date and provide a list of referral services that may be able to assist the participant going forward once exited from the State of Nevada SCSEP.

(d). Termination Due to Becoming Employed During Enrollment

To qualify for enrollment in the SCSEP, a participant has to be unemployed; all participants are informed that they may not be employed while participating in the program and that they must notify the program representative immediately upon becoming employed. A participant who is discovered to be employed while enrolled without having notified the Project Site Office of the employment will be terminated from the program.

(e). Termination for Cause

When warranted, a participant may be terminated for certain behaviors and/or conduct.

There are two categories of reasons for 'For Cause' terminations:

- Those that allow for warnings

- Those that warrant immediate removal from the host agency.

Reasons for Termination for Cause that Allow for up to 3 Warnings

Multiple documented instances (3) of any combination of the below actions will lead to termination.

1. *Refusing to accept job offers or referrals* to unsubsidized employment or for not complying with the Individual Employment Plan (IEP).

Example: Participant States: “I am not interested in getting a job. I just want to stay in my host agency”

2. *Failure to cooperate fully with State of Nevada SCSEP staff* to accomplish the goals of his or her service strategy. Examples of lack of cooperation with State of Nevada SCSEP staff to accomplish IEP service strategies may include but are not limited to the following when provided for in the participant’s IEP:

- Refusing to search for a job
 - Participant States: “I am not interested in getting a job. I just want to stay in my host agency”
- Sabotaging a job interview, for example, a participant tells the interviewer that he or she is not interested in the job or tells the interviewer that he or she is not qualified.
- Refusing or not participating fully in training opportunities
- Refusing to transfer to a new community service training assignment
- Refusing to register at the One-Stop/Job Service
- Refusing to take advantage of WIOA opportunities

- Refusing to accept or lack of follow-through in obtaining supportive services that will enhance the participant's ability to participate in a community service assignment consistent with the IEP
- Refusing to cooperate with other IEP-related referrals or action steps
 - IEP States: By December 31st, Mrs. Smith will have applied to Wal-Mart, Sear, and JC Penny. However, as of December 31st, Mrs. Smith states that she has not applied to them yet because she just has not had the time to get around to it.”
- Refusal to cooperate with the assessment or IEP process, e.g., refusing to participate in completing the assessment and training development plan
- Failure or refusal to perform assigned duties
- Removal from assignment at host agency's request for negative behavior or actions by the participant
- Unauthorized tardiness or absences

The above list is not all inclusive; other similar reasons that demonstrate willful misconduct or an intentional disregard of program rules may cause involuntary termination. However, any involuntary terminations for reasons other than those listed above must have prior written Area Manager approval.

Participant Corrective Action and Warning

Prior to termination for the above reasons, participants will generally be given two formal warnings and the opportunity to correct his or her

behavior or conduct, or his or her failure to comply with the IEP requirements. These warnings must be documented.

At any point, if a participant makes positive efforts or the participant's lack of action is justified, corrective action will be discontinued. The following steps for corrective action will be taken:

- **Step 1: First Warning**
 - If a participant displays behavior or conduct outlined in the reasons for “for-cause” terminations or refuses to comply with the IEP requirements, the participant will be given a verbal warning and counseled to correct his or her actions. Documentation of the warning will be maintained.

- **Step 2: Second Warning**
 - When a participant continues to display behaviors or conduct outlined in the reasons for “for-cause” terminations or refuses to comply with the IEP requirements, the participant will be warned and counseled to correct his or her actions. The State of Nevada SCSEP Project Director will send the participant a written warning that he or she has 30 days from the date of the letter to correct his or her behavior or conduct. In the case of an IEP violation, the participant may be directed to complete specific IEP-related tasks. The written warning will include a statement that failure to make improvement or complete the IEP-related tasks will result in termination. Documentation of the warning will be maintained.

- **Step 3: 30 day Notice of Termination Letter**
 - When a participant still does not make improvement in his or her actions or for a third time displays behavior or conduct outlined in the reasons for “for-cause” terminations, a 30 Day Notice of Termination Letter will be sent notifying the participant that he or she will be exited

30 days from the date of the letter. The notification letter will explain the reason(s) for termination.

- If this occurs, the participant will be placed on Pending Termination “Without Pay” immediately (participant may not return to their assignment). The participant will be terminated from SCSEP no earlier than 30 days after the date the participant is provided with the 30 day notice of termination letter.
- At this time the participant will also be referred to the written copy of State of Nevada SCSEP’s Grievance policy in the Participant & Host Agency Supervisor’s Handbook.

Reasons for Termination for Cause that will result in Immediate Removal from Host Agency and Leave Without Pay Pending Termination

When a participant’s violation of State of Nevada policy is of a serious nature, immediate action to remove the participant from the host agency may be required. In this case, the participant will be placed pending termination “without pay” and provided a *30 Day Notice of Termination Letter*.

Examples of circumstances warranting immediate removal from the host agency and leave without pay include, but are not limited to:

1. *Knowingly Providing Any False Information in the Eligibility Process*
Example: when an SCSEP applicant was asked to provide the AARP staff with their income from the last 12 months, the applicant provided information regarding their Social Security income but intentionally did not provide information about a state pension they were also receiving for fear that their pension income would determine the participant to be ineligible to enroll onto the SCSEP.
2. *Refusal to cooperate in recertifying eligibility*

Example: refusing to provide required documents to determine continued eligibility or refusing to attend or be available for the recertification appointment.

3. *Fraud -A participant may be terminated for fraudulent or falsification actions*

Example: Intentionally signing the signature of the host agency supervisor on a time sheet or other official document, or including hours on a time sheet that are not accurate

4. *Employed while enrolled on the SCSEP and unable/unwilling to provide employment data need for placement credit*

Example: A participant who has been determined to be employed while enrolled on the SCSEP and is unwilling or unable to provide the employment information necessary (i.e. employer name, supervisor, wage...) in order for the Program to receive credit for a placement.

5. *Intentional disclosure of confidential or private information obtained from the host agency, grantee, or local project*

Example: informing others of information that is supposed to be kept private or confidential

6. *Insubordination*

Defined as intentionally refusing to carry out the direction or instructions of a host agency supervisor or State of Nevada staff member, provided there

Reasons for Termination for Cause that will result in Immediate Removal from Host Agency and Leave without Pay Pending Termination was no extenuating circumstances and the directions or instructions were reasonable.

7. *Exceeding approved leave without pay by failing to return from an approved break without due notice or good cause*

8. *Assignment abandonment (participant “disappears”).*

9. *Workplace harassment or discrimination*
On the basis of sex, race, color, religion, national origin, age, marital status, disability, or any other protected characteristic.
10. *Obscene, abusive, harassing, or threatening language or behavior*
11. *Physical violence or intentional destruction of property*
Example: Physical violence, the threat of physical violence, or intentional destruction of property.
12. *Theft*
Defined as illegal taking or withholding the property of another without permission
13. *Causing an imminent threat to health or safety of self or others*
This includes weapons in the workplace
14. *Non-compliance with drug and alcohol free policy*
Defined as prohibiting participants from consuming, selling, purchasing, manufacturing, distributing, possessing or using any illegal or non-prescribed drug or from being under the influence of alcohol and or drugs while performing their host agency assignment or while carrying out objectives required by the IEP. Legally prescribed medications are excluded if they do not affect the participant's ability to perform his or her duties or protect the safety of the participant or others.

2. **Voluntary Exit of a Participant**

It is essential that the sub recipient follow the appropriate steps for exiting participants from the program. Only a sub recipient can exit a participant from SCSEP. Host agency supervisors may not exit participant from the program but may ask the sub recipient to remove the participant from the assignment.

a. **Reasons for Voluntary Exit**

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

- (1) **Voluntary resignation exit** - voluntary exits may occur because the individual no longer wishes to participate in the program, because of relocation, is

institutionalized or is unable to participate because of health reasons, is providing care for a family member or retires

- (2) **Unsubsidized employment exit** – the participant is job ready and has obtained employment with the host site, another employer or is self employed
- (3) **Death** - the participant dies

b. Procedures for Voluntary Exit

All exited participants will receive 30 days written notice of exit. A copy of the notice will be placed in the participants file. The written exit letter must include the reason for the exit.

Participant exits must be documented to the fullest extent possible in the participant file, reported on the completed SCSEP Exit Form, Unsubsidized Employment Form, if applicable and Follow-up Form and entered into SPARQ. Signatures must be obtained where indicated. The following documentation must be placed in the participant file:

Voluntary resignation - Participant Exit Form (See Appendix A for the Exit Form)

- (1) **Unsubsidized Employment** – Participant Exit Form, Unsubsidized Employment Form and Follow-up forms as required
- (2) **Death** -Participant Exit Form and Unsubsidized Employment Form – Follow-up information (if applicable)

c. Voluntary Exit for Performance Measure Exclusions

The following Exit reasons are excluded from the performance measures with acceptable documentation:

- (1) Health and medical
- (2) Family Care
- (3) Institutionalization
- (4) Death

d. Acceptable Documentation for Exclusions

Acceptable documentation required for exclusion from performance measures for the reason listed above must be included in the participant file is:

- (1) Medical records or other official records are acceptable, including but not limited to:

- Actual medical records;
 - Physician’s statement or other certification from a medical professional;
 - Letter from official at medical facility or institution;
 - Psychologist’s diagnosis;
 - Rehabilitation evaluation
 - Disability records;
 - Veteran’s medical records;
 - Vocational rehabilitation letter;
 - Worker’s Compensation record
- (2) A participant signed self attestation or signed attestation form a knowledgeable third-party
- (3) Detailed case notes (institutionalized only) in addition to the standard requirement for all case notes, to establish an exclusion for institutionalized, case notes must also detail that the participant is receiving 24-hour care in a facility like a prison, skilled nursing facility or hospital and is expected to remain there for at least 90 days. Persons with a disability residing in a community based residential facility with or without long term care supports is not considered institutionalized. Case notes are not acceptable for Health/medical or Family Care.

e. Acceptable Documentation for c. 4

Approved documentation required for exclusion from performance measures for reasons listed in c (4) must be included in each qualifying participant file:

- (1) An official government document or other official record is acceptable, including but not limited to:
- (a) Death record or certification, or
 - (b) Death notices published through the internet, in newspapers, and local funeral homes.
- (2) Signed attestation from a knowledgeable third-party is acceptable

Case notes are not accepted as support for validating death.

f. Referrals

When applicable, exited participants should be referred to other potential resources or agencies that might help the individual remain self sufficient, e.g. Aging and Disability Resource Center (ADRC), SNAP, Medicare, Medicaid.

U. Political Patronage/Political Activities

No sub recipient may select, reject, promote, or terminate a participant **based on the participant's political affiliation or beliefs**. The selection or advancement of participants as a reward for political service or as a form of political patronage, whether or not the political service or patronage is partisan in nature, is prohibited.

Further, the selection of training sites **shall never be based on political affiliation**.

1. Prohibited Activities for Participants

Participants may **not**:

- (a) Engage in partisan or nonpartisan political activities **during** hours for which they are paid with SCSEP funds
- (b) Engage in partisan political activities in which the participant represents himself or herself as a spokesperson of the SCSEP
- (c) Be employed or out-stationed in the office of a Member of Congress, a State or local legislator, or on any staff of a legislative committee
- (d) Be employed or out-stationed in the immediate office of any elected chief executive officer(s) of a State or unit of general government, *except in the following cases*:
 - (1) Participants may be assigned to training sites at local government agencies provided that the participants' assignments are nonpolitical; and
 - (2) The participants' assignments are strictly program activities and are in no way political functions

NOTE: Documentation attesting to the nonpolitical nature of the positions must be submitted to State for approval prior to assigning participants to such positions.

- (e) Be placed in training site positions involving political activities in the office of other elected executive officials, *except in the following situations*:
 - (1) When the elected official's office handles nonpolitical activities, a participant may be assigned to a nonpolitical training assignment; and
 - (2) When sub recipients develop safeguards to ensure that participants placed in these positions are not, at any time, involved in political duties

2. Prohibited Activities for Project Staff

A SCSEP project staff member shall **not** engage in:

- (a) Partisan or non-partisan political activities during hours for which the staff member is paid with SCSEP funds, or
- (b) Partisan political activities in which the individual represents him or herself as a

spokesperson of the SCSEP

3. Hatch Act

State and local employees shall comply with the Hatch Act, according to the provisions of Chapter 15 of Title 5, U.S. Code. The U.S. Office of Personnel Management issues regulations pertinent to the Hatch Act. Each project subject to the Hatch Act shall display a notice and make available to all individuals associated with the project a written explanation of allowable and unallowable political activities. The notice must contain the telephone number and address of the Inspector General of the United States.

The Act covers only, but not all, State and local employees “whose principal employment is in connection with an activity which is financed in whole or in part by loans or grants made by the United States or a Federal Agency. Individuals whose employment does not meet this definition are not governed by the restrictions of the Hatch Act. (Refer to the memorandum from the Department of Labor on the Hatch Act and the SCSEP in Appendix E.)

Some participants’ political activities may be further restricted due to the status of the sub recipient that employs them.

4. Lobbying

SCSEP funds shall **not** be used to influence the legislative process or any appropriation pending before the Congress of the United States. No salaries or expenses for any activity designed to affect legislation may be paid with SCSEP funds.

V. Unionization

SCSEP funding shall not be used in any way to assist, promote, or deter union organizing.

W. Nepotism

1. Restrictions

The following restrictions apply to SCSEP projects:

- (a) No person shall be hired by or enrolled in a project **if** a member of that person’s immediate family is employed in an administrative capacity by the sub recipient
- (b) No participant shall be assigned to a training site **if** any member of that participant’s immediate family is employed in an administrative capacity at that

training site

- (c) If the applicable State or local legal requirement regarding nepotism is more restrictive than the requirements in (a) and (b) above, then the State or local requirement shall be followed

2. Definitions

For the purpose of the SCSEP Program Operations Manual,

- (a) *Nepotism* is defined as favoritism based on kinship
- (b) *Immediate family* includes wife, husband, son, daughter, mother, father, brother, sister, son-in-law, daughter-in-law, mother-in-law, father-in-law, brother-in-law, sister-in-law, aunt, uncle, niece, nephew, stepparent, stepchild, grandparent, and grandchild; and
- (c) *Employed in an administrative capacity* is defined as those individuals who administer SCSEP projects or training sites/host agencies and who have responsibility or authority over those with the responsibility for selecting participants from among eligible applicants.

X. Drug-Free Workplace

Under Section 5153 of the Drug-Free Workplace Act of 1988, Federal grant recipients are required to certify that they provide a drug-free workplace by taking certain specific actions. Drug-Free Workplace Awareness Program contains the following restrictions and requirements that must be adhered to:

- (a) **Policy** - The use, consumption, sale, purchase, transfer, or possession of any illegal drug or the illegal use, consumption, sale, purchase, transfer, or possession of any controlled substance by a sub recipient's staff member or an SCSEP participant while on training sites or SCSEP office premises, or during SCSEP-sponsored training sessions is absolutely prohibited.
- (b) **Enforcement** - SCSEP sub recipients are responsible for the enforcement of this policy
- (c) **Disciplinary Action** - A participant who violates this policy is subject to disciplinary action, up to and including termination. Appropriate action must be taken by the sub recipient for the specific violation.
- (d) **Public Notice** - Sub recipients must publish a statement notifying employees that the use, distribution, and possession of controlled or illegal substances is prohibited in the workplace and clearly specify the actions that will be taken if an individual violates the restriction. Sub recipients **should inform** participants about the dangers of drug abuse in the workplace, about their policy of maintaining a drug-free workplace, and about any

available drug counseling, rehabilitation, or other assistance programs in the local community where help can be sought for drug problems

- (e) **Training Sites** - Training sites are required to immediately notify the SCSEP sub recipient of any violation of this policy in their workplaces. When a training site knowingly permits the violation of this policy or fails to ensure a workplace free from alcohol, drugs, and substance abuse, it risks the immediate loss of the services of its SCSEP participants.

Y. Grievance Procedures

1. SCSEP Grantee Staff Right to Grieve

- (a) SCSEP grantee staff may file a grievance by following the Nevada Administrative Code (NAC) 284.658 to 284.697 found at <http://dop.nv.gov/nac/nactoc.htm>

2. Sub Recipient Right to Grieve

- (a) If the sub recipient disagrees with any decision or finding of the grantee, staff may file a grievance with the Nevada Aging and Disability Services Division (ADSD)—the Senior Community Service Employment Program grantee -- by following the Program Instructions of Nevada (PIN) 20.3 to 20.8 found at <http://adsd.nv.gov/uploadedFiles/agingnv.gov/content/Programs/Grant/nvpins.pdf>.
- (b) If the sub recipient staff disagrees with any decision of the sub recipient administration, it must follow its internal agency grievance policy.

3. Sub Recipient Grievance Requirements

- (a) The sub recipient must establish and provide access to all policies and procedures that will be used to resolve the grievances of SCSEP applicants, employees and participants to any individual in the program.
- (b) A copy of the grievance policy is to be given to new employees and participants as part of orientation, to those persons denied service and to all that are terminated from the program.
- (c) SCSEP the sub recipient must follow at a minimum the grievance procedure in section 4.
- (d) A grievance will be defined as follows:
A ‘grievance’ means an act, omission or occurrence in which an applicant or participant feels constitutes an injustice relating to any condition arising out of the relationship between the sub recipient, host site or another participant, including, but not limited to, compensation, training hours, assignments, IEPs, approved breaks, necessary sick leave or federal holidays, training conditions, interpretation

of any law, regulation or disagreement, denial of eligibility at application or recertification, denial of supportive services, discipline and all terminations, including for individual durational limits.

4. Sub recipient Grievance Procedure

When a complaint is received, staff should make every effort to reach an informal resolution.

When a grievance is received the following steps will be followed:

- (a) **Step 1** - The grievance shall first be presented to the SCSEP Project Director within 20 business days from the date the issue(s) occurred. The Project Director shall respond to the grievance within ten (10) business days of receipt of the grievance. If the grievance can be resolved at the local level, the SCSEP Project Director shall document the resolution in writing and provide copies of the written resolution to the parties involved within five (5) days of the resolution and place a copy of the documentation in the grieving individual's file. The Project Director will make all efforts to resolve the grievance locally. And as needed, will get necessary assistance from the Regional Manager.
- (b) **Step 2** - If an individual is unable or unwilling to submit a written grievance to the Project Director, or is dissatisfied with the Project Director's response, the grievance should be submitted directly to the SCSEP Communication and Business Analyst within twenty (20) business days from the date the issue (s) occurred that caused the concern or with 10 business days of receipt of the Project Director's response.

The SCSEP Communication and Business Analyst Office will respond to the grievance within 10 business days of receipt.

The contact information for the SCSEP Communication and Business Analyst will be provided from the Project Site Office at the Participant's request.

- (c) **Step 3** - If the individual is not satisfied with the resolution offered by the Communication and Business Analyst, s/he may submit the grievance to the sub recipient's National Director for SCSEP within 10 business days from the date of the response received from the SCSEP Communication and Business Analyst. The contact information for the National Director for SCSEP will be provided from the SCSEP Communication and Business Analyst at the individual's request. The National Director for SCSEP will respond to the individual within

30 business days from receipt of the grievance.

- (d) **State Grantee Review** - The Nevada ADSD State SCSEP Director will receive a copy of the minutes of responses and decisions, documentation and written statements within five (5) working days of a decision.

The grieving individual may submit a request for a review of the sub recipient's decision to the Nevada ADSD State SCSEP Director within five (5) working days of the decision by the sub recipient National Director of SCSEP. The individual may submit the request for a review to the ADSD State SCSEP Director **after** following all of the above steps 1- 3. The State SCSEP Director will issue a decision within fifteen (15) working days of receipt of the request for review. The State SCSEP Director's decision will be final.

- (e) **Federal Review** -The individual may submit the grievance to Department of Labor **after** following all of the above steps 4. (a) Through 4. (c). The individual should be informed that, except for allegations of violations of Federal law, the Department of Labor will limit its review to determining whether the appropriate appeal procedures were followed.

Allegations of violations of Federal law, which are not resolved within 60 days under the grievance policy above, may be filed with the Chief, Division of Adult Services, Employment and Training Administration, Department of Labor, 200 Constitution Avenue, N.W., Room C-4510, Washington, DC 20210.

Questions, or complaints alleging a violation of, the nondiscrimination requirements of title VI of the Civil Rights Act of 1964, § 504 of the Rehabilitation Act of 1973, § 188 of the Workforce Innovations Opportunity Act of 2014 (WIOA), or their implementing regulations, will be directed or mailed upon receipt to the Director, Civil Rights Center, Department of Labor, Room N-4123, 200 Constitution Avenue, NW., Washington, DC 20210.

In the alternative, complaints alleging violations of WIOA §188 may be filed initially at the grantee level. In such cases, the grantee will use complaint processing procedures meeting the requirements of 29 CFR 37.70 through 37.80 to resolve the complaint.

Non Retaliation

Participant or applicants who file a grievance or suspect misconduct (see below) are protected from retaliation of any kind. Participants or applicants who believe they are being retaliated against for filing a grievance or participating in an investigation of a grievance should immediately contact State of Nevada SCSEP Director.

5. ADSD SCSEP Incident Reporting Policy

ADSD SCSEP sub recipient will distribute the attached policy to participant and host site agency supervisors annually.

(a) **Policy**

BACKGROUND:

Sub Part F, Section 683.620 of the Workforce Innovations Opportunity Act (WIOA) regulations requires that information and complaints involving criminal fraud, waste, abuse or other criminal activity must be reported immediately through the U. S. Department of Labor’s (DOL) Incident Reporting System to the DOL Office of Inspector General (OIG) with a copy simultaneously provided to the Employment and Training Administration (ETA) San Francisco Regional Office. WIOA regulations requirements are required of SCSEP providers. The Incident Reporting System also processes noncriminal complaints regarding gross mismanagement and waste of funds.

SPECIAL NOTE:

Any person or organization who knowingly submits false or fraudulent claims or written, certified statements for money, services, or property is subject to the Program Fraud Civil Remedies Act.

DEFINITION OF TERMS:

Complaint, for this directive only, means criminal complaint.

Fraud is any deceitful act or omission, or willful device used with the intent to obtain some unjust advantage for one party, or to cause an inconvenience or loss to another party. Types of fraud include embezzlement, extortion, forgery, theft, theft of participant checks, solicitation and receipt of bribes (kickbacks), and falsification of records and claims regarding trainees (e.g., knowingly enrolling ineligible participants), intentional payments to contractors without the expectation of receiving services, and payments to ghost enrollees. Criminal fraud is a type of larceny and is punishable under both Federal and State law as a felony. Civil fraud is subject to tort actions under civil laws.

Misapplication of Funds is defined as any use of funds, assets, or property not authorized or provided for in the grant or contract. This category includes, but is not limited to, nepotism, political patronage, use of participants for political activity, intentional services to ineligible enrollees, conflict of interest, failure to report income derived from federal funds, violation of contract provisions, maintenance of effort violations, and the use of WIOA funds for other than WIOA purposes. **Note:** a report must be filed when it appears that there exists intent to misapply funds rather than merely a case of minor mismanagement.

Gross Mismanagement is defined as actions or situations arising out of management ineptitude or oversight which lead to a major violation of contract provisions and/or which severely hamper accomplishment of program goals. These include situations that lead to waste of government resources and put into serious jeopardy future support for a particular project. This category includes, but is not limited to, unsuitable records, unsupported costs, highly inaccurate fiscal and/or program reports, payroll discrepancies, payroll deductions not paid to the Internal Revenue Service and the lack of internal control procedures.

Employee/Participant Misconduct should be considered as actions occurring during or outside work hours that reflect negatively on the Department of Labor, the State and the WIOA program or its purpose and may include, but are not limited to, conflict of interest or the appearance of conflict of interest involving outside employment, business and professional activities, and the receipt or giving of gifts, fees, entertainment, and favors; misuse of federal property; misuse of official information; and other activities that might adversely affect the

confidence of the public regarding the integrity of government.

Standard of Conduct Violations are violations of terms and conditions stipulated in the sub recipient agreement. The relevant stipulations in the sub recipient agreement are General Assurances, Employment of Former Employees, Conducting Business Involving Relatives, Conducting Business Involving Close Personal Friends and Associates, Avoidance of Conflict of Economic Interest, and Maintenance of Effort.

Sub recipient, for this directive, means a recipient that does not receive WIOA funds directly from the State.

PROCEDURES:

All service providers shall promptly report to the Office of Inspector General all allegations of potential fraud, abuse, and other criminal activity.

By developing these procedures, Aging and Disability Services Division (ADSD) is establishing an appropriate Incident Reporting procedure to prevent and detect fraud, abuse, and criminal activity.

An Incident Report Form DL1-156 and instructions may be found at:

http://detr.state.nv.us/worforce_investment_pages/WIA_Policies.htm,

Section 4.7., attachment A and B.

The incident reporting process should not be used for personnel actions such as Equal Employment Opportunity complaints, employee grievances, or labor disputes.

REPORTING

These reporting procedures shall ensure that all instances of fraud, abuse, or other criminal activity associated with WIOA-funded activities are concurrently reported to the State of Nevada Department of Employment, Training and Rehabilitation (DETR).

Within one workday of detection or discovery of information alleging fraud,

abuse, or other criminal activity involving WIOA funds, a written incident report shall be prepared by the detecting entity. The report must be submitted on the above mentioned form or similar document containing the requested information.

Submit the report to:

Regional Department of Labor Office
Office of Inspector General
Office of Investigations
Department of Labor
71 Stevenson Street, Room 720
San Francisco, CA 94105

Simultaneously, a report may be made to the OIG at their Web site:
<http://www.oig.dol.gov/hotlinemain.htm>, by fax to (202) 693-5210, or by mail to:

National Department of Labor Office
Office of Inspector General
Office of Investigations
United States Department of Labor
200 Constitution Avenue, N.W.,
Room S-5506
Washington, D.C. 20210

Allegations considered to be of an emergency nature may be reported by telephone by calling the OIG/DOL Hot Line at 1-800-347-3756 and followed immediately thereafter by a written incident report.

The OIG telephone “Hotline” permits reporting of matters anonymously, if desired, to avoid fear of reprisal. Information filed via the Hotline should be as specific as possible to enable the OIG to identify and solve the problem. The Hotline should not be used for resolving employee grievances, EEO compliance, labor disputes or other personal concerns.

The entity detecting the presence or appearance of fraud, abuse, or other criminal

activity must obtain sufficient information to provide a clear, concise report of each incident. Reports must include a statement of all facts as well as any known or estimated loss of WIOA funds resulting from the incident. The submission of an incident report should not be delayed even if all facts are not readily available. Any facts subsequently developed by the entity are to be forwarded in a supplemental incident report.

ADSD staff will forward any incident report it receives directly to OIG.

The reporting procedures do not supersede the responsibility for *service providers* to safeguard WIOA funds by taking prompt and appropriate corrective action when any evidence of a violation of WIOA or its implementing regulations is found.

The reporting procedures do not supersede the responsibility for *agencies* to safeguard WIOA funds by taking prompt and appropriate corrective action upon becoming aware of any evidence of a violation of WIOA or its implementing regulations.

Whenever the entity reporting the allegation of an incident believes that immediate action to prevent further financial loss or other damage is necessary, or recovery of funds or property may be impeded if immediate action is not taken, the reporting entity has the responsibility to take any action it deems appropriate, including contacting the local law enforcement agency. Any immediate action taken or planned by ADSD will be reported to the OIG and an incident report will be submitted.

Allegations of fraud, abuse, or other criminal activity in WIOA-funded programs may originate from sources other than service providers. Such sources may include informants, independent auditors, or local law enforcement agencies.

During an investigation, based on a report of fraud or abuse, ADSD, OIG investigators or auditors may contact a service provider regarding an incident of which the service provider was not previously aware.

Resolution of Incident Reports

ADSD will work in collaboration with the OIG to facilitate incident resolution processes.

ACTION:

ADSD shall follow this policy. This policy will remain in effect from the date of issue until such time that a revision is required. The OIG Hotline telephone number for reporting suspected incidents will be prominently posted for staff members and for the general public, where applicable.

References:

Sub Part F, Section 683.620 of the Workforce Innovations Opportunity Act (WIOA)

(b) Instructions and DL Form 1-156, Incident Report

An Incident Report Form DL1-156 and instructions may be found at:

http://detr.state.nv.us/workforce_investment_pages/WIOA_Policies.htm,
Section 4.7., attachment A and B

Z. Non-Discrimination and Equal Employment Opportunities

1. Requirements

Race, creed, color, disability, age, national origin, gender, political affiliation, or beliefs cannot be used to exclude a person from participation in, deny a person the benefits of, or subject a person to discrimination under any project or activity funded in whole or in part with SCSEP funds.

The sub recipient is responsible for ensuring that no discrimination occurs in any project or activity funded by SCSEP. The State will monitor each sub recipient to ensure that mechanisms have been established to comply with equal employment opportunity practices.

Since SCSEP is a program designed to provide employment and training services to low-income older individuals, it is exempt from the requirements of the Age Discrimination in Employment Act (ADEA).

2. Disability Definition

The SCSEP regulations define “disability” as: a condition attributable to 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:

- Self-care
- Receptive and expressive language
- Learning
- Mobility
- Self-direction
- Capacity for independent living
- Economic self-sufficiency
- Cognitive functioning
- Emotional adjustment

The participant is only considered disabled if impaired at the time of enrollment. Do not count as disabled an individual who merely has a history of impairment or is regarded as being impaired. The individual must have the impairment currently.

Disability Documentation

Documentation should be an official government record or other official record that indicates that:

- (1) a medical professional made a determination of disability and;
- (2) describe how the determination of disability meets the SCSEP regulatory definition as explained in the Data Collection (DC) Handbook, including but not limited to:

- Receipt of Social Security Disability Insurance (SSDI)
- Other Social Security Administration records
- School records
- Sheltered workshop certification
- Social service records or referrals
- Community-based aging and disability organizations

- Social service agency record or referral
- Independent Living Center statement
- Letter from Group Home administrator

Note: Not all official documents will suffice to establish disability. For example, a state disabled parking sticker is an official document, but it does not establish disability for SCSEP purposes unless the state employs the SCSEP definition and standard of disability.

Alternatively, certification from medical professional or medical records that establish specific facts that meet the regulatory definition as explained in the DC Handbook are acceptable, including but not limited to:

- Letter from Drug or Alcohol rehabilitation agency
- Medical records
- Physician's statement
- Psychologist's diagnosis
- Rehabilitation evaluation
- Disability records
- Veteran's medical records
- Vocational rehabilitation letter
- Worker's compensation record

V. Management Information System

A comprehensive management information system is needed to document program participation and the use of SCSEP funds. State of Nevada SCSEP programs are required to use the SCSEP Performance and Results System (SPARQ). Program regulations require careful record keeping for each project.

The SCSEP Data Collection Handbook and SCSEP Data Validation Handbook are attached in Appendix C. Additional technical assistance is available from DOL contractors Charter Oak Group (COG) and BCT Partners at <http://www.scsep-help.com>. The sub recipient will submit questions to the State of Nevada SCSEP Director who will direct the question to the appropriate DOL contractor and respond to the sub recipient. Following is a table of required forms for the Participants Record.

A. Table II: Required Forms for the Participant's Record

Senior Community Service Employment Program

Required Forms for the Participant's Record

The following are required forms as part of each participant's record:

- (1) Participant Form
- (2) Confidential Statement of Income (with supporting documentation), completed annually with intake/recertification
- (3) Employment Eligibility Verification Form I-9
- (4) Participant Acknowledgement of Terms of Enrollment (Enrollment Agreement)
- (5) Orientation Checklist
- (6) Participant Assessment Form
- (7) Individual Employment Plan (IEP)
- (8) Community Service Assignment Form
- (9) Training Assignment Description (TAD) (includes work schedule)
- (10) Counseling Reports (if applicable)
- (11) Participant Evaluation(s) (a minimum of one annually)
- (12) Host Site Supervisor Evaluation(s) (a minimum of one annually)
- (13) Supportive Service Referrals (if any)
- (14) Recertification form completed annually on anniversary
- (15) Exit Form (Once or if the participant exit the program)
- (16) SCSEP Unsubsidized Employment Form (if placed)

The file must also contain documentation (often incorporated in the Orientation Checklist) that the participant has been given the following information:

- (17) Participant Rights and Responsibilities
- (18) Permitted and Prohibited Political Activities
- (19) Americans with Disability Act (ADA)
- (20) Drug-Free Workplace Act
- (21) Grievance Procedures
- (22) Documentation as required for SCSEP Data Validation (see Appendix C)

The following form is also required, but must be kept in a separate, locked file:

- (22) Physical Assessment Waiver(s) (a minimum of once annually)

B. Table III: Required Forms for the Training Site File

Senior Community Service Employment Program
Required Forms for the Training Site File

The following forms must be maintained in a separate file for each training site and maintained in the sub recipient's project office

- (1) Training Site Agreement(s)
- (2) Training Site Annual Evaluation Form (s)
- (3) Training Assignment Description (for each participant at the site)
- (4) 501(c)(3) Certification for a Private Non-Profit Training Site
- (5) Training Site Safety Checklist
- (6) Training Site Orientation Checklist
- (7) Copy of the Participant's Community Service Assignment Form

C. Monitoring

The State monitors (Program and Fiscal) participant records and training sites files annually during sub recipient office visit, in addition to participant and host site agency supervisory visits. The State of Nevada SCSEP Monitoring Guide is used to conduct program visits. Auditors use the Fiscal Monitoring checklist and review the sub recipient Single Audit, if applicable. A written report containing recommendations and a corrective action plan is sent to the program within 30 days of the site visit.

Host site agency monitoring and visits will be conducted, at a minimum annually, as identified in the sub recipient and/or grantee monitoring schedule. The sub recipient will provide the grantee with the host site agency monitoring or visit schedule.

The State SCSEP Director or designee will conduct SPARQ data validation within the last two quarters of each year.

D. Table IV: Reporting Requirements and Procedures*Senior Community Service Employment Program***Reporting Due Dates and Procedures**

There are certain reports that must be received by State by specific deadlines. **Failure to meet these deadlines may result in the withholding of grant funds.** The reports and deadlines are:

Due on October 15th, January 15th, April 15th and July 15th:

Quarterly Financial Report

The State must receive this report no later than ten (10) days following the end of each quarter. The report should be emailed to adsdgrants@adsd.nv.gov.

Monthly Request for Funds

To receive timely payments, Request for Funds should be received by the 10th calendar day of the month following the month requested. The form may be found on the Division's website, <http://adsd.nv.gov/uploadedFiles/adsdnavgov/content/Programs/Grant/Reporting/ReportingSchedule.pdf>. Submit the request and a copy of the month expenses to schantrill@adsd.nv.gov

Quarterly Program Reports

The sub recipient is required to use the most current Department of Labor data collection system and/or form. The sub recipient will enter all participant, host site and employer information including but not limited to hours of participation, employer survey, unsubsidized employer follow ups, in the SPARQ data base and complete the Quarterly Narrative Report by the 15th day of the month following the completed quarter: October 15, January 15, April 15, and July 15 or as directed by DOL.

E. Record Retention

The sub recipient shall comply with all requirements imposed by law regarding the maintenance of a record of each individual's participation in the SCSEP, including dates of entry, termination and services provided. Financial records, supporting documents, statistical records, and all records pertinent to the grant agreement must be retained for a period of three years from the final submission of the expenditure report. Where there is an outside audit involving unresolved audit findings, or under appeals or litigation must be held until the action is completed or the dispute resolved.

VI. Financial Information Management

A. Budget

The budget is the financial expression of the projects goals and activities. The format consists of the:

- Budget Detail and
- Budget Form A (Summary)
- Budget Form A1 (Non Federal Match)

Following are guidelines that provide general criteria and guidelines for the development of the budget. Specific instructions are provided with the budget forms. Within the limitations, no federal project funds in OMB Circulars A-21, A-122, and A-87 may be expended for purposes other than those permitted by the federal cost principles applicable to the sub recipient.

1. Participant Wages and Fringe Benefits

At least 75 percent of the total federal funds granted to the sub recipient must be expended for Participant Wages and Fringe Benefits, which are provided to participants for their hours of employment, including wages paid during orientation and pre-job training under the project. The annual physical examination is considered a fringe benefit to the participant and cost for this should be included under Participant Fringe Benefits.

2. Other Participant Costs

Other participant costs are staff salaries/fringes (if providing direct service to participants), participant training, participant development, participant transportation, and miscellaneous participant costs. Participant training costs include costs for instructors/trainers, rental of training facilities, supplies, materials, equipment and any

other costs directly attributable to training. Miscellaneous participant costs include but are not limited to reasonable costs of transportation; health and medical services; special job related or personal counseling; incidentals such as work shoes, badges, uniforms, eyeglasses, and tools; dependent care; housing, including temporary shelter; needs related payments and follow-up services. Attempts to obtain the items at no cost to the project are to be documented.

3. Administrative Costs

The allowable maximum for state administrative costs will be determined on an individual basis by the State, each grant year per agreement, but under no circumstances will exceed 13.5%, taking into consideration size of project, available resources and other factors. Allowable administrative costs include, but are not limited to, salaries and fringe benefits for project administrators; costs of consumable office supplies used by project administrative staff; costs incurred in the development, preparation, presentation, management and evaluation of the project; the cost of establishing and maintaining accounting and management information systems; costs incurred in the establishment and maintenance of advisory committees; travel by project administrators within a project's jurisdiction (reimbursable at the state or DOL authorized rate, whichever is lower). For those projects that must include per diem in their budgets because of a large geographic program area, the per diem rate may not exceed the established state rate for the area in which travel occurs.

The sub recipient administrative cost rate is stated in the Request for Proposal.

4. Purchases and Maintenance of Equipment

The purchase of capital equipment is usually not allowable and the sub recipient must have the written permission from the State to purchase capital equipment. Capital Equipment is defined by equipment with a value of \$5,000 or more.

5. Nonfederal Funds Contribution

The Federal Government will pay no more than 90 percent of the total project cost; the sub recipient is required to provide documentation of all nonfederal contribution. Total project cost include allowable costs incurred by the sub recipient, and the value of in-kind contributions made by third parties, e.g. host site supervision, in accomplishing the project objectives during the performance period will be reported to the State of Nevada. All cash and in-kind contributions must meet the following criteria:

Criteria:

- Are identifiable in sub recipient's records
- Are not included as contributions to any other federally funded program
- Are necessary for achievement of the project's objectives
- Are charges allowable under applicable Federal cost principles
- Are not paid by the Federal government directly or indirectly under any other agreement. (The only exceptions are ACTION, Community Development Act, General Revenue Sharing, Indian Health Service and Bureau of Indian Affairs.)
- Are fair and reasonable and will not exceed the amount if the item was actually purchased
- Averaged proportionate to the time the item was available to the project
- Must be incurred within the grant period

6. Cash Contributions

Cash contributions are the sub recipient's cash outlay, including the outlay of money contributed by nonfederal parties, which meet the criteria for nonfederal contribution.

Documentation of Cash Contributions

Cash contributions to the project from the sub recipient or from third-party sources must be documented in the same manner as the projects Federal cash expenditures.

7. In-Kind Contributions

In-kind contributions are the value of non-cash contributions provided by nonfederal third parties. In-kind contributions may be the value of goods and services directly benefiting the project, e.g. host site supervision; the value of donated expendable materials; the value of donated equipment, buildings, land or use of space; and the value of other charges incurred specifically and in direct benefit to the project. Examples of nonfederal third party in-kind contributions, with specific procedures for establishing their value, follow:

- (a) **Valuation of Services** – Volunteer services furnished by professional and technical personnel, consultants, and other skilled and unskilled labor may be considered a nonfederal contribution if the service is an integral and necessary part of the approved project. Specific examples of such service would include supervision of a participant by a non-federally paid training site supervisor, a

participant training session on filling out tax forms given free by a local tax lawyer, and the participation of a local business representative on the project advisory committee.

Rates for volunteers (including supervisory time) should be consistent with those regular rates paid for similar work in the sub recipient organization. In cases where the skills required for the federally assisted activities are not found in the other activities of the sub recipient, rates used should be consistent with those paid for similar work in the labor market in which the sub recipient competes for the kind of services involved. When an employer other than the sub recipient furnishes the services of an employee, these services shall be valued at the employee's regular rate of pay (exclusive of fringe benefits and overhead cost) provided these services are in the same skills for which the employee is normally paid.

The criterion for determining whether the number of hours of Host Site Agency supervisory time claimed is allowable will be whether the amount claimed is "fair and reasonable". To be considered "fair and reasonable", supervisory time must:

- (1) Be necessary to achieve SCSEP's objectives;
- (2) Be proportionate to the time the supervisor has available to the participant for SCSEP related work activities (excludes leave and holiday);
- (3) Be proportionate to the level and/or type of supervisor time (i.e., training vs. ordinary supervision); and
- (4) Not exceed the cost of actually purchasing the supervisory time.

- (b) **Valuation of Donated Expendable Materials – Contributed materials** includes office supplies, maintenance supplies, or workshop and classroom supplies. Prices assigned to donated materials should be reasonable and should not exceed the cost of the materials to the donor or current market value, whichever is less, at the time they are charged to the project.
- (c) **Valuation of Other Charges – Other necessary charged incurred specifically for** and in direct benefit to the SCSEP program on behalf of the sub recipient may be accepted provided that they are adequately supported and permissible under the regulations. Such charges must be reasonable and properly justifiable.

Documentation of In-kind Nonfederal Contribution:

The following requirements pertain to the sub recipient's supporting records for

in-kind contributions:

- (d) The number of hours of volunteer services (including supervisory time) must be, to the extent possible, supported by the same methods used by the sub recipient for its employees. At a minimum, documentation must note number of hours contributed by date and positive certification that the source of the salary (exclusive of fringe benefits and overhead) is nonfederal. The dollar figure quoted must be supported by an annual “salary certification” for any person who regularly contributes hours, or if the person is unwilling to provide such a certification, a dollar amount can be ascribed based on salaries for comparable positions in the sub recipient’s agency. (Where no comparable positions exist in the agency, similar positions in the local labor market may be used).
- (e) The basis for determining the charges for personal services, materials, equipment, buildings, and land must be documented. The documentation must provide a written or typed statement describing services or goods contributed, must include stated value(s), and must indicate the date of contribution or time span of services rendered. All vendors that invoice any part of the actual cost should show the full cost and then identify and deduct the in-kind contribution. Each statement of an in-kind donation must be marked “in-kind”, must identify name and address of contributor, and must bear the original signature of the contributor or an authorized representative, and must be dated.

Sub recipient SCSEP Director is responsible for checking accuracy and reasonableness of contributions. They must also assure that the contribution is allowable, is not funded directly or indirectly with Federal funds (except as noted and approved in the Sub recipient Agreement) and is not being used as a match for another Federal program.

B. Verification of Signatures

The budget and all financial documents must be submitted to the State of Nevada SCSEP Director with the original signatures of the authorized signatory(s) for each document or as stated in the annual agreement.

C. Payment of Funds

The sub recipient request funds on a monthly reimbursement basis. The sub recipient is responsible for submitting the Request for Funds form.

D. Request for Funds

The sub recipient must submit a monthly Request for Funds (RFF) form to the State of Nevada SCSEP Director at, schantrill@adsd.nv.gov, upon receipt of their Notice of Grant

Award and then ten (10) days following the end of each month.

E. Quarterly Financial Report (QFR)

One copy of the QFR (form ETA-9130) for each month of the performance period, including the final month, is to be submitted the 15th day of the month following the end of the quarter. A final QFR marked “FINAL” is to be submitted with the sub recipient closeout documents.

F. Sub Recipient Modification

A sub recipient modification is an authorized and documented change in a condition or conditions of any of the parts (agreement, budget) of the sub recipient agreement. There are two types of modifications, both of which must be fully documented in State and sub recipient agency files. They are:

- (1) A **formal modification** is a written request to Aging and Disability Service Division SCSEP Director by the sub recipient to make a significant change to the budget or scope of the SCSEP project. These requests may require approval by DOL. Once approved, the change is processed on the Grant Processing Form and signed by representatives of Aging and Disability Services who are authorized to sign legal documents. Any changes to the sub recipient agreement and most budgetary changes are processed as formal modifications. The sub recipient will receive a revised Notice of Grant Award (NGA).
- (2) **Written authorization** by the SCSEP Director or other authorized State representative can effect a change of a less substantial nature in the budget. For example, if a cost is added to the budget which was not previously included as a cost and which will not change a line item total as a result, written authorization by the State SCSEP Director with a copy of the correspondence to the Division Auditor II is sufficient to effect the change. Processing a modification should begin prior to or as soon as the condition(s) necessitating a modification occur.

Conditions necessitating a modification – The sub recipient shall promptly request, in writing, permission from the State to modify the sub recipient award when any of the following conditions occur:

- (1) A net increase or decrease from the approved enrollment level of ten (10) percent or more is anticipated, or other significant changes in the scope of the sub recipient project appear likely
- (2) Budget analysis indicates that planned cumulative amount of transfers among cost categories will exceed or be expected to exceed 10 percent of the total Federal share only in each cost category of the sub recipient budget;
- (3) The sub recipient anticipates a need to transfer Federal funds allocated for participant wages and fringe benefits to other categories of expense

- (4) The sub recipient anticipates a need to transfer Federal funds allocated for participant costs to administrative costs
- (5) The sub recipient wishes to add cost items, which require approval in accordance with the provisions of Office of Management and Budget Circulars A-87, A-102, A-110, and A-122.

With the exception of the aforementioned conditions, all other deviations from the sub recipient budget may be undertaken by the sub recipient with the prior written approval of the State. However, the sub recipient should consult with the State SCSEP Director before taking any action on budget line item changes of a significant nature.

Under no circumstances may the total expenditures of Federal or state funds exceed the budgeted amount authorized by the State to conduct project activities. Until the modification is fully executed the sub recipient may not legally implement the proposed revision in the SCSEP budget or sub recipient unless permission to do so has been received in writing from the State SCSEP Director.

From time to time, extenuating circumstances may make it expedient to delay initiating a modification until a later period of time. A decision to delay initiation shall be put in writing by the State SCSEP Director and the reasons for the delay noted. An example of such a delay would be a modification near the end of the performance period that could be more efficiently done as a closeout. Approvals of all closeout modifications are subject to availability of unspent monies of the total grant. The State rarely approves any increase in administrative costs, and all Other Participant Costs increases must be fully justified.

G. Sub Recipient Closeout

Sub recipient closeout procedures are required at the end of each performance period – twelve months for all projects unless the performance period has been extended by formal modification of the sub recipient. As a preliminary closeout action, the sub recipient receiving advanced funds from the State are to estimate the amount of funds, which will be needed to cover final sub recipient costs and ascertain the amount of money remaining in their financial account. If it appears that there are excess funds within thirty (30) days from the expiration date of the sub recipient, these funds shall be refunded no later than forty-five (45) days from the expiration date of the sub recipient.

The following forms are to be submitted to State, per instructions provided.

- Final Quarterly Financial Report (ETA-9130) rounded to the nearest dollar, marked “Final,” showing all accruals have been paid in full
- Sub Recipient’s Release Form
- Sub Recipient’s Assignment of Refunds, Rebates and Credits Form

- Government Property Accountability
- Financial account closeout
- List of Unclaimed or Outstanding Checks

All forms must be correctly completed and signed with the authorized signature(s) in order for the State to accept the closeout package.

Sub recipient closeout is subject to the following conditions:

- Non-federal contributions must meet 10 percent of the total gross of federal funds and non-federal funds. Category overruns in Administrative or Other Participant Costs using unspent funds from the participant wages and fringes category will be subject to disallowed costs if not approved by a fully executed modification. The sub recipient must have permission from the State to process such a modification; funds may be unavailable for overruns in these two categories.
- Any upward or increased adjustment in a sub recipient's total Federal share of costs is contingent on the availability of funds after all closeouts have been submitted by the sub recipient.
- In the event of a final audit (after the closeout has been submitted) either by the State or the Department of Labor resulting in any downward adjustment, a refund check is due the State within thirty (30) days of receipt of the audit report. The State may withhold Federal funding of a new grant year agreement until final settlement of a prior year's grant refund check has been received to settle an audit dispute.

H. Guidelines for Description of Budget Costs

Participant Wages and Fringe Benefits (PWF)

Administrative staff participants are defined as those providing assistance in the administrative and/or operational aspects of the local project. The project's offices are considered to be the training site, and types of positions may include clerks, fiscal aides, job developers, intake specialists, assessment clerks, trainers/instructors, and all other similar positions that assist in the project's delivery of SCSEP services.

Non-administrative staff participants are defined as those assigned to community based training sites, providing services to the general and elderly populations.

1. Participant Wages must be broken out as follows:
 - Non-administrative staff participants by wage rate(s), hours weekly, and number of weeks budgeted.
 - Administrative staff participants by job title, wage rate(s), hours weekly, and number of weeks budgeted. Please see special notes at end of this section.
2. Participant Fringe Benefits such as FICA, Workers Compensation, etc. must be broken out by type of fringe benefit and rate. Participant Physical Assessments should be noted by number of assessments and average cost. Please remember that benefits should be reasonable and uniform for all participants.
3. Total Participant Wages and Fringe Benefits -- self-explanatory.

Other Participant Costs (OPC)

The cost category of Other Participant Costs shall include all costs of functions, services, and benefits not categorized as administration or participant wages and fringe benefits. Other participant costs shall include, but not be limited to, the direct and indirect costs of providing recruitment, intake, orientation, assessment, supportive services, training and the development of unsubsidized employment opportunities.

4. Staff Salaries and Fringe Benefits must be broken out as follows:
 - Each position by title, annual salary (inclusive of all funding sources), percent of time budgeted to this cost category, and percent of year (if less than 12 months). Also note if the position is less than full-time and/or is shared with another funding source or cost category. Please see special notes at end of this section.
 - The fringe benefits are to be described by type and rate.
5. Participant Training -- including, but not limited to, orientation, in-service training, job search clubs, individual short-term training, training contracts with local educational

institutions or other providers and training materials. Tuition costs must also be charged to this line item. Provide details on how costs are figured (for example: Job Search Clubs, \$400 would be insufficient, whereas Job Clubs @ 4 sessions for 10 participants, \$75 for instructor, \$25 for material, each session = \$400 would be sufficient detail).

6. Participant Development is to be broken out as follows:

- Participant Assessment -- including, but not limited to, contracts for outside assessment services, materials/tools. Provide details on how costs derived
- Training Site/Employer Initiatives -- including, but not limited to, employer seminars, job fairs, Training Site supervisor training, and job development activities. Provide details on how costs derived
- Field (Training) Supplies -- including, but not limited to, work shoes, uniforms, etc. Provide details on how costs figured
- Other Supportive Services -- including, but not limited to, eye/hearing exams (in addition to physical assessments), special counseling, etc. Provide cost details

7. Participant Transportation

- Include number of participants involved in travel and average number of miles weekly. Also include group transportation costs for special events, when applicable
- Please note: Funds budgeted must be restricted to participant administrative staff and support of participants for training purposes. The Training Sites must assume the costs for participants who must travel as part of their assignments. Staff travel costs applicable to OPC should be included in miscellaneous

8. Miscellaneous

- Should include all other allowable OPC costs, including, but not limited to, pro-rated share of rent, telephone and supplies, as well as OPC non-participant staff travel. Estimated monthly costs for these items should be noted or otherwise

detailed. Any pro-rated costs must be based on clearly defined allocation plans.

9. Total Other Participant costs -- self-explanatory.

Administrative Costs (ADM)

The cost category of Administration shall include, but need not be limited to, the direct and indirect costs of providing administration, management, and direction; reports on evaluation, management, community benefits, and other aspects of project activity; assistance of an advisory council; accounting and management information systems; bonding; and audits.

10. Staff Salaries and Fringe Benefits must be broken out as follows:

- Each position by title, annual salary, percent of time budgeted to this cost category, and percent of year (if less than 12 months). Also note if the position is less than full-time and/or is shared with another funding source. Please see special notes at end of this section.
- The fringe benefits are to be described by type and rate, if different from line #4 (OPC -- Staff Salaries/Fringe Benefits).

11. Indirect Costs may be included only if the sub recipient has an approved indirect cost rate with the State of Nevada. If so and federal funds are budgeted for these costs, a copy of the duly executed cognizant agency agreement must be attached. No budget will be approved without the attachment.

12. Other Administrative Costs (OAC)

OAC should include all other allowable costs, including, but not limited to, rent, telephone, supplies, staff travel, and postage. Approximate monthly costs for these items should be noted, or how costs were derived should be shown.

NOTE: Unless justification is provided to the contrary, the total cost of these items must appear under Administrative Costs and not Other Participant Costs.

- If applicable to project, Training Site supervision contributed toward non-federal match should be included under this line item. Detail how estimate of contribution was figured.

13. Total Administrative Costs -- self-explanatory.

14. Grand Total -- self-explanatory.

SPECIAL NOTES:

- Record the percent of the total federal budget allocated to each cost category in the spaces on the budget summary. Percentages should not be rounded; please include 2 decimal places (i.e., 91.67% not 91.7%). At least 75% of the total federal budget should be Participant Wages and Fringe Benefits.
- Position descriptions for all full and part-time staff must be submitted, including participant administrative staff. For participant staff, please make sure the description notes wage rate and number of hours weekly. Administrative and Program staff time must be tracked and documented. For other staff, descriptions must clearly delineate duties allocated to each appropriate cost category.

Table V. Guidelines for Allocating Costs to Other Participant Costs or Administration

The costs listed below are categorized as to whether they are Other Participant Costs or Administrative Costs. However, the list is not all-inclusive. In general, all costs directly supportive of the participants' growth and development in the SCSEP program are Other Participant Costs. Administrative Costs fund the non-participant support system of the program such as preparing program budgets, payroll development, advisory council costs, and administrative salaries. If you are uncertain about which category is most appropriate for a planned cost item, consult with the State SCSEP Director prior *to including it in your budget*.

OTHER PARTICIPANT COSTS	ADMINISTRATIVE COSTS
Costs that are considered Other Participant Costs include, but are not limited to, the following examples:	Costs that are considered Administrative Costs include, but are not limited to, the following examples:

OTHER PARTICIPANT COSTS	ADMINISTRATIVE COSTS
<p>General OPC</p> <ul style="list-style-type: none"> • Salaries and fringe benefits for staff performing participant development functions directly attributed to development of participant skills. Such services include actual job development, counseling and training, Training Site monitoring. • Travel of staff performing participant development functions. • Participant recruitment and intake activities. • Rent of space, utilities and custodial services for job-hunting clubs or job fair functions. • Costs of consumable office supplies, equipment and materials used by staff and participants performing recruitment, intake, or participant job development, counseling and training functions. • All costs related to recertification. • Development and publication of materials specifically for the purpose of recruiting or developing job for participants. • Assessment of participant for subsidized or unsubsidized placement. 	<p>General Administrative</p> <ul style="list-style-type: none"> • Salaries and fringe benefits for project administrators and staff (unless participants) performing administrative functions. • Travel of project administrators and staff (unless participants) performing administrative functions. • Travel of project administrators and staff, performing administrative functions such as payroll distribution, non-participant-related meetings or similar functions. • Rent of space, utilities and custodial services for non-participant and administrative staff (including participants performing administrative functions). • Costs of consumable office supplies, equipment and materials used by non-participants or administrative staff, including enrollees in administrative staff positions. • Costs incurred in the development, preparation, presentation, management and evaluation of project.

Table V. Guidelines for Allocating Costs to Other Enrollee Costs or Administration (cont)

	<p><i>General Administrative (continued)</i></p> <ul style="list-style-type: none"> • Sub recipient document preparation and all tasks fulfilling reporting requirements (Monthly Financial Reports, quarterly Narratives, etc.) • Allowable indirect costs. • Costs of establishing and maintaining accounting (including all payroll costs) and management information systems. • Costs incurred in establishing and maintaining advisory councils.
<p>Job Development – Subsidized</p> <ul style="list-style-type: none"> • The development of Senior Community Service Project Training Sites. • Assuring that Training Sites are fulfilling basic SCSEP requirements, such as providing adequate supervision and safe working conditions. • Working with participant/supervisors at the Training Site to determine training/support services needed by participant(s) to result in upgraded or subsidized job or better job performance. 	
<p>Training/Counseling</p> <ul style="list-style-type: none"> • Assessing supportive service needs of participant(s) and making referrals. • Consulting participant/supervisor about problems revealed during Training Site monitoring visit. • Training/development of participants, including, but not limited to, orientation, special classroom instruction, and participant project meetings; costs for instructors; classroom rentals; training supplies, materials, equipment; tuition, and other costs directly attributed to the training of participants. 	<p>Training</p> <ul style="list-style-type: none"> • Training of/or technical assistance to non-participant staff on matters of an administrative nature.

V. Guidelines for Allocating Costs to Other Enrollee Costs or Administration (cont)

<p><i>Training/Counseling (continued)</i></p> <ul style="list-style-type: none"> • Training of participant development staff (non-participants) in skills directly related to participant training, job development and/or counseling. • Training of participants in administrative positions. • Holding employer meetings to inform employers of new policies, legislation, etc., affecting participants and other older workers. • Orientation/training of Training Site supervisors about the purposes and goals of SCSEP. 	
<p><i>Job Development – Unsubsidized</i></p> <ul style="list-style-type: none"> • Gathering data to be used as a basis for unsubsidized placement activities (such as researching future employment needs of a community). • Coordinating employer seminars for the specific purpose of developing subsidized or unsubsidized jobs. • Contacting employers directly to develop unsubsidized jobs. • All job hunting club costs including consultant fees, phones to be used by participants, etc. • All job fair costs directly related to SCSEP participants (pro-rated if non-participants participate). 	