

# SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM

## ELIGIBILITY AND PRIORITY OF SERVICE

The Senior Community Service Employment Program (SCSEP) is authorized by the Older Americans Act and nationally administered by the US Department of Labor. There are two types of grants under SCSEP – National, and State. The national grantee for South Dakota is the National Indian Council on Aging (NICOA). The State grantee, DLR, must coordinate with the national grantee within the state served. A Memorandum of Understanding MOU has been established between DLR and NICOA.

SCSEP is a required partner under WIOA. Not all DLR Customers will be eligible for SCSEP services but can receive career services through WIOA Title III and Title I. If not an active Title III or Title I participant, SCSEP participants are required to be enrolled in Title III and Title I after they have been approved eligible for SCSEP. DLR staff will work with the participant to establish employment goals, overcome barriers, develop an Employment Plan, refer participants to programs or training, develop and placement in training at a Community Service Assignment to meet the participant's needs. Refer to [SCSEP Service Delivery](#) Policy 5.80 for program services and requirements.

### PROGRAM GOALS

The goal of every SCSEP participant is to find unsubsidized employment through part-time, work experience training opportunities. SCSEP is not permanent employment, but a subsidized work experience and training program designed to teach the participant new and marketable skills. SCSEP is only available for individuals who are 55 years or older, unemployed at the time of application, low-income, and demonstrate low employment prospects. The program fosters individual economic self-sufficiency and strives to move participants from training at their host agency to future employment. SCSEP is not a job; but a stepping stone to real employment with higher wages, benefits, and opportunities for advancement.

### ELIGIBILITY CRITERIA

Age, income, place of residence and employment status are used to determine eligibility for SCSEP. All SCSEP participants are required to meet eligibility criteria in four areas:

- **Age** – An individual must be 55 years of age or older on the date eligibility is determined. There is no maximum age limit for participation in SCSEP.
- **Income** – Not more than 125% of the family income levels prepare by the U.S. Department of Health and Human Services (HHS) See [Family Size and Income Guidelines](#) Policy 4.7 for more information.
- **Place of Residence** – Place of residence means an individual's permanent dwelling place. To be eligible for enrollment, an individual must reside in the state and county in which DLR is authorized to operate the SCSEP program. There is no requirement for the length of residence prior to enrollment There is no requirement the host agency assignment must be in the participant's county of residence
- **Employment Status** – Individuals must be unemployed at the time of eligibility determination and recertification.

The criteria for age, income, and employment status must be met by all participants and those being recertified for continued participation. Labor Program Specialist must determine and approve eligibility before any SCSEP activity commences. Applicants not interested in finding unsubsidized employment should not be enrolled. SCSEP eligible individuals can participate in the program for a lifetime limit of 48 months. For example a participant can serve 24 months, leave the program and reapply and have 24 months of SCSEP eligibility left.

## PRIORITY OF SERVICE

When multiple eligible candidates are available for an open assignment, certain priorities must be used in selecting an individual for participation in SCSEP. In selecting eligible individuals for participation in the SCSEP, priority must be given to individuals who have one or more of the following characteristics in the following order:

SCSEP Priority of Service
1. 65 years of age or older, individuals with a disability, individuals who have limited English proficiency, individuals who have low literacy skills, those who reside in rural areas, have low employment prospects, those who have failed to find employment after using other program services through the One Stop System, homeless or at risk of homelessness AND Veteran or Eligible Spouse including Widows and Widowers eligible for services by a DVOP with the JVSG.
2. Age 55 and older, unemployed, AND low income based on 125% of the Department of Health and Human Services family income guidelines AND Veteran or Eligible Spouse including Widows and Widowers eligible for services by a DVOP with the JVSG
3. 65 years of age or older, individuals with a disability, individuals who have limited English proficiency, individuals who have low literacy skills, those who reside in rural areas, have low employment prospects, those who have failed to find employment after using other program services through the One Stop System, homeless or at risk of homelessness AND a Veteran or Eligible Spouse, not eligible under JVSG.
4. Age 55 and older, unemployed, AND low income based on 125% of the Department of Health and Human Services family income guidelines AND a Veteran or Eligible Spouse, not eligible under JVSG.
5. Age 55 and older, unemployed, AND low income based on 125% of the Department of Health and Human Services family income guideline

### ***Ineligible Application***

If an individual applies for SCSEP but is determined ineligible for the program by the Labor Program Specialist, the Employment Specialist must notify the applicant of ineligibility. The Labor Program Specialist will provide the rationale to the Employment Specialist for denying the SCSEP application. The Employment Specialist will review Title I and Title III Services with the individual to seek additional DLR services.

### ***Eligible But No Current Openings***

If an individual is determined to be eligible for SCSEP but there are no current openings, the Labor Program Specialist will place the applicant on the waiting list. An Employment Plan is required after 60 days of enrollment into Title III and Title I. The Employment Specialist should review DLR services and provide any additional training during the waiting period of finding a Community Service Assignment. Once an opening becomes available, the Employment Specialist will refer to the DLR waiting list.

### ***Eligible But not able to locate***

If the Employment Specialist is unable to locate the participant within 90 days of last contact the individual will be removed from the waiting list and will have to reapply if contact is made in the future.

## SCSEP OPENINGS

SCSEP positions are allocated by U.S. DOL on a county basis to assure equitable distribution of services. DLR is required to recruit and enroll SCSEP-eligible individuals to achieve each approved counties' maximum limit of positions. Over enrollment on counties must be approved by the SCSEP Labor Program Specialist. When an applicant in a non-service county is interested in SCSEP, refer the applicant to NICOA.

## RECERTIFICATION

The Employment Specialist is required to monitor the CSA on-site once every six months, this is usually completed during recertification. The goal of recertification is to verify the family's income and the participant's unemployment

status. It is essential to determine eligibility for participant's continued enrollment. A change in income and family size could affect the participant's ability to remain in the program. Recertifications occur to ensure the participant continues to meet the income limits for SCSEP. Recertification will be done in November through December and May through June coincide with the signing of Work Based Learning Training Plan Agreement and Monitor and updating Employment Plan. If a SCSEP participant becomes a participant less than 6 months before the recertification period, it is permissible to skip them during the upcoming recertification period and wait until the next recertification to include them. The SCSEP Participant will be notified by the SCSEP Employment Specialist when the recertification is scheduled and what documentation will be required/provided. Refusal to cooperate in recertifying eligibility including intentional delays in providing required documentation during the specified recertification timeframe is grounds for dismissal from SCSEP. During recertification, if it is determined the SCSEP Participant is no longer eligible, SCSEP Employment Specialist will assist in contacting other available employment and training resources. A 30-day written notification will be provided to the SCSEP Participant, identifying last date of SCSEP participation. If the SCSEP Participants feels eligibility determination is incorrect, they will have a chance to appeal this process. Please see the "Complaints and Grievances" section in SCSEP Policy-Service Delivery for further details.

## **REASON FOR TERMINATION**

### ***Employment***

Participant transitioned into to unsubsidized employment.

### ***Right of Return***

SCSEP Participants who exit for unsubsidized employment, but do not stay employed can qualify for SCSEP Right of Return within 90 days of Exit. A Right of Return is limited to participants whose employment did not last for a total of 30 days within 90 days of exit. Those who qualify and exercise their Right of Return are not subject to enrollment priorities and preferences or the waitlist process, and their Exit is reversed. If there are not sufficient funds for immediate return, the next available assignment will be given. The reverse Exit is excluded from the performance measures.

### ***Individual Durational Limits***

SCSEP Participant used all 48 months of training.

### ***No Longer Income Eligible***

Examples-

- A participant attained additional countable income during the preceding six months or his/her family status has changed. Determination of ineligibility must be based on actual changes in income or family size, not on anticipated changes in income or family size.
- If a participant knowingly provided false information during eligibility determination and/or recertification.
- Refusal to cooperate in recertification

### ***Voluntary Exits***

A participant decides on their own to end participation in SCSEP.

### ***Involuntary Termination***

There are several reasons to terminate a participant from SCSEP "for-cause." When warranted, a participant may Exit from the SCSEP for certain behaviors, conduct, or violations. When these behaviors, conduct, or violations occur, a participant may be terminated from SCSEP.

Examples

- Knowingly providing any false information in the eligibility process
- Refusal to cooperate in recertifying eligibility
- Unwillingness to comply with assigned training task/training opportunities outlined in the Employment Plan
- Refusing Unsubsidized Employment without good cause.
- Fraud or falsification of documents

- Failure or unwillingness to provide employment data
- Intentional disclosure of confidential or private information obtained from the host agency, grantee, or local project
- Frequent tardiness
- Exceeding approved leave without pay without due notice or good cause
- Assignment abandonment (participant “disappears”)
- Workplace harassment or discrimination
- Obscene, abusive, harassing, or threatening language or behavior
- Physical violence or intentional destruction of property
- Theft or causing an imminent threat to health or safety of self or others
- Non-compliance with drug and alcohol-free policy.
- Refusal to cooperate with the Work Based Learning Training Plan Agreement and/or the Employment Plan
- Workplace harassment or discrimination
- Obscene, abusive, harassing, or threatening language or behavior
- Physical violence or intentional destruction of property
- Theft or causing an imminent threat to health or safety of self or others
- Non-compliance with drug and alcohol-free policy
- Intentional disclosure of confidential or private information obtained from the host agency
- Insubordination

***Opportunity to Correct Behavior or Conduct***-A participant will be allowed to correct behavior, *except* in cases involving serious harm or imminent threat to health, safety, property, etc. At any point, if a participant makes a positive effort or the lack of action is justified, corrective action will be discontinued.

#### **LWOP**

Exceeding approved leave without pay without due notice or good cause

#### **DURATIONAL LIMITS**

When determining an appropriate period of length for CSA, consideration should be given to skill requirements of job goals, the participant’s Employment Plan, and prior work experience of the participant. To determine how long a CSA could be, conduct some research in O\*Net to determine the average training time needed to obtain employment in the participant’s desired field. A CSA’s duration should not last more than 27 months at that specific host agency, unless approved by the Labor Program Specialist. The limiting of assignment duration is intended to increase the participant’s chances of obtaining unsubsidized employment and encourage the development of new host agency training assignments. More than 27 months at a host agency may be approved by the SCSEP if the situation warrants the extension. In the event a participant remains in an assignment, a new CSA Agreement should be completed and signed by all parties, indicating the reason for the extension. Upload the new agreement, update the Employment Plan as needed, and include an SDWORKS case note.

#### **WAIVER-DURATIONAL LIMITS**

SCSEP participants who qualify for at least one of the two statutory waiver factors could receive a 12-month individual durational limit (IDL) extension on the 48-month limit. The two statutory waiver factors are *75 years of age or older* and *severely disabled*, which requires the submission of supporting documentation from a medical professional. Participants will only be allowed to apply for the IDL waiver once and cannot continuously apply after the waiver ends. At the end of a waiver, the participant is subject to Exit through normal procedures under a durational limit exit.

## **PARTICIPANT RIGHTS**

SCSEP Participants have the right to:

- A suitable assignment, with consideration for personal preference, temperament, life experience, education and employment background, and my job or development goals;
- Receive an orientation to my community service assignment host agency;
- A safe and orderly training environment;
- Participate fully in the development of my Employment Plan;
- A community service assignment description, which accurately reflects the tasks and responsibilities of the assignment and the right to participate in updating the assignment description periodically to accommodate changes in tasks and/or added responsibilities;
- Be treated with respect during my community service assignment – not as free help;
- Patient and thoughtful guidance from an informed and experienced host agency supervisor;
- Obtain additional responsibilities during my community service assignment with my SCSEP coordinator's approval;
- Apply for permanent employment when vacancies occur at the host agency that aligns with the goals set in my Employment Plan;
- Assistance from SCSEP DLR staff to obtain unsubsidized employment;
- Not to be discriminated against or excluded from participation or denied benefits under this project on the grounds of race, creed, color, disability, national origin, sex, political affiliation, beliefs or age;
- Have all of my information pertaining to participation in SCSEP kept confidential.

## **PARTICIPANT RESPONSIBILITIES**

SCSEP participant will be held to a set of standards and expectations for eligibility. They are responsible for:

- Performing the assigned activities entered on the Employment Plan and Work Based Learning Training Plan Agreement and Monitors.
- Abiding by all applicable personnel policies set by the Host Agency and the SCSEP rules and regulations
- Attending all SCSEP meetings, trainings, classes, and other activities as indicated on the Employment Plan.
- Notifying SCSEP Employment Specialist of potential training opportunities that they may be interested in.
- Seeking unsubsidized employment by completing monthly Job contacts and reporting contact to SCSEP Employment Specialist. The number of Job Contacts per month will be determined by the DLR Employment Specialist.
- Attending all appropriate job interviews.
- Avoiding the opportunity to volunteer at the Host Agency without pay or compensatory time (violation of Fair Labor Standards Act)
- Each participant will be required to have an email account to receive electronic information about the SCSEP including, but not limited to: program updates, timesheet follow-up, and copies of and/or notification of employment plan changes.
- Participants will accept Host Site transfers after 24 months with a host agency.
- Contacting the Host Agency supervisor and SCSEP Employment Specialist for any of the following reasons below;
  - Change to income, family size, or employment status
  - Unable to report to Host Agency
  - Doing duties other than what is listed on Form 19
  - Asked to Drive and driving is not on Form 19
  - Accept Permanent Employment
  - Change to personal contact information
  - Host Agency Training Schedule Change
  - Encounter a problem with your Host Agency Supervisor
  - Become Injured or ill

## **COMMUNITY NEEDS**

To ensure SCSEP services are made available to the greatest number of eligible individuals, staff will review, at least quarterly, community and labor market needs, including employment needs of older workers and employers and service delivery needs of community-based organizations. This review also helps to identify potential employers, host agencies, and a greater variety of Community Service Assignments for participants. DLR staff will be familiar with the ethnic, racial, and cultural mix of the older adult populations within their service areas to ensure recruitment efforts include potential participants of all background, DLR will strive to have the number of minority participants enrolled to be proportion to the general population.

*20 CFR §641.110  
2 §641.120  
§641.140  
§641.505-507, 515  
§641.570, 575, 580, 585*