

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.

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.

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.

Participation

An individual is not considered a SCSEP participant until a Community Service Assignment has been established. If eligibility is established an individual is placed with a host agency or maintained on a wait list. In times a host agency is not available, DLR will seek a host agency. Individuals not yet placed with a host agency will receive services through Title III and Title I until a host site can be secured.

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. 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.

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 Progress Report 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 Participant feels eligibility determination is incorrect, they will have a chance to appeal this process. Please see 'Complaints and Grievances' section in SCSEP Service Delivery [Policy 5.80](#) for additional details.

REASON FOR EXIT

Eligibility

If program participation ends due to an eligibility reason, a referral **must** be made to other potential sources of assistance.

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- **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. See [Right of Return](#).
- **Individual Durational Limit** – Individual has exceeded the 48-month program limit
- **Incorrectly determined eligible**

Right of Return

SCSEP Participants who exit for unsubsidized employment, can qualify for SCSEP Right of Return within 90 days of Exit. A Right of Return is limited to participants who, through no fault of their own, leave their unsubsidized employment within the first thirty days. 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.

Voluntary Exit

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

Involuntary Termination

- **False or fraudulent information - knowingly given by individual**
- **Refusal to accept reasonable job offers or referrals to unsubsidized employment consistent with the Employment Plan**
- **For-Cause with opportunity to correct behavior**
 - Insubordination or unwillingness to comply with assigned duties or policies at the worksite
 - Unwillingness to accept a community service assignment
 - Refusal to cooperate with recertification
 - Tardiness, unexcused absences, or community service assignment abandonment
 - Exceeding approved leave without pay without due notice or good cause
 - Refusal to cooperate with the Work Based Learning Training Plan Agreement and/or the Employment Plan
- **For-Cause with Leave Without Pay**
 - Workplace harassment or discrimination
 - Obscene, abusive, harassing, or threatening language or behavior
 - Physical violence or intentional destruction of property
 - Causing an imminent threat to health or safety of self or others
- **For-Cause with Labor Program Specialist Determination**
 - Intentional disclosure of confidential or private information obtained from the host agency, grantee, or local project
 - Theft or illegal taking or withholding of the property of another without permission
 - Non-compliance with the Drug-Free Workplace Act

NOTICE OF TERMINATION

For-Cause with opportunity to correct behavior

A written notice of termination must be provided to the participant 30 days prior to termination. This notice must include an explanation of the reason for termination, the expectation of a participant to correct their behavior or conduct, and appeal process. If a participant makes a positive effort to correct behavior, corrective action will be discontinued. The participant will be notified in writing that the correction action will be discontinued.

For-Cause with Leave Without Pay

A written notice of termination must be provided to the participant 30 days prior to termination. This notice must include an explanation of the reason for termination, that they will be on leave without pay, and appeal process.

For-Cause with Labor Program Specialist Determination

A written notice of termination must be provided to the participant 30 days prior to termination. This notice must include an explanation of the reason for termination, the expectation of a participant to correct their behavior or leave without pay and appeal process.

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 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 Progress Reports.
- 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 §6410.120
§641.140
§641.505-507, 515
§641.570, 575, 580, 585