

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM

SERVICE DELIVERY

The Senior Community Service Employment Program (SCSEP) is authorized by the Older Americans Act and nationally administered by the US Department of Labor. Refer to [SCSEP Eligibility and Priority of Service](#) Policy 4.12 for an overview and eligibility of the program.

ASSESSMENT

An assessment is the starting point for SCSEP. It is the first step in writing the Employment Plan for the SCSEP Participant. Assessments are used to identify the participant's skill strengths and gaps, as well as potential barriers to employment. The assessment process helps determine the appropriate employment goals and the steps necessary to help achieve those goals. Examples of Assessments offered by DLR; Objective Assessment Workkeys Assessment, Career Interested surveys, etc. Assessments will be conducted throughout participation in SCSEP to monitor progress. These on-going assessments will indicate if changes are needed to the Employment Plan or training assignment at the host agency. Failure to cooperate with assessments will lead to termination from the program.

EMPLOYMENT PLAN

The Employment Plan is based on the results of the assessments and provides the framework for the community service assignment descriptions. This plan lists specific goals and the action steps necessary to achieve those goals within specific time frames. The Employment Plan will be reviewed and revised a minimum of two times per year. See [Employment Plan](#) Policy 4.11 for more information.

HOST AGENCY INTERVIEW AND ORIENTATION

An orientation session with both the participant and the host agency supervisor is scheduled after the participant completes an interview and the host agency agrees to be a Host Agency site. During the orientation, the SCSEP Employment Specialist will use the SCSEP Training Site Safety Checklist ([Form 85B](#)) to check for any occupational hazards. The SCSEP Employment Specialist will use the SCSEP Orientation Verification ([Form 84](#)) to go over program expectations, rules, and payment procedures. Work-Based Learning Training Plan Agreement and Monitors ([Form 19](#)) will also be completed during the orientation session. While engaged in orientations, participants must be paid up to four hours at the regular rate of pay. South Dakota Bureau of Administration requires Form 15B, the Release and Waiver of Liability, assumption of their risk and indemnity agreement, and consent to medical treatment, to be completed by the participant at each Host Agency Placement.

COMMUNITY SERVICE ASSIGNMENT

Community Service Assignments (CSA) are provided to SCSEP participants to develop their skills and confidence to secure unsubsidized employment, meet the needs of local employers, and contribute to the general welfare of a community. Participants are assigned to specific community service positions based on their assessments, their Employment Plan, and the community needs. Participants will not be assigned to a host agency site if any member of their immediate family is working in a decision-making role at that agency. CSAs should lead to unsubsidized employment by emphasizing assignments that develop transferable, in-demand skills and supplementing assignments with other training as funding permits. Termination from the program is possible if steps towards unsubsidized employment are not completed by the participant and or the participant becomes proficient in the skills learned at one host agency and needs to move to a different host agency to learn new skills. Participants shall not be assigned to more than one CSA. The skills the participant will develop and the tasks they will complete are included in the Work-Based Training Plan Agreement.

PARTICIPANT TRAINING

Effective training allows the participant to effectively perform his or her community service assignment and increases the participant's self-confidence, skills, educational levels, and job placement potential. A few training examples; Bring Your 'A' Game, Job Search Workshop, Teknimedia, Alison, GED. Training hours are tracked by completing the [Time Sheet](#)

[Journal](#). Training opportunities should be consistent with the goals of the Employment Plan and enhance the participant's ability to gain unsubsidized employment. Referrals should be made to DLR services, One-Stop partners, Adult Education and Literacy (AEL) programs, and continuing education programs. If a participant would need tuition, books, and other specific cost, it would first need to be approved through Title I Adult Funding. The participant is provided wages and workers' compensation coverage for training hours. Participants must be assigned to a CSA at a host agency before receiving any type of training. Training is completed during the same time a participant is doing their CSA hours. If a participant is unable to complete CSA hours at a Host Agency due to no fault of their own (Pandemic, Natural Disaster, etc) the participant can continue with their Participant Training if approved by the SCSEP Labor Program Specialist.

COMMUNITY SERVICE TRAINING & PARTICIPANT TRAINING

Training Hours

Training wages are set at South Dakota's minimum wage rate. Participants can earn a total of 40 hours per week. Participants are not allowed to exceed 40 hours. For example, if a SCSEP Participant completed 20 hours of CSA Training in a week (Sunday-Saturday) he/she would only be allowed to complete 20 hours of Participant Training (example- Alison). CSA Training hours are limited to 20 hours per week unless approved by the SCSEP Labor Program Specialist. A participant cannot work over 1560 hours in one year.

Host Agency Supervisors and SCSEP Participants will work together to create a schedule of 3 or 4 days per week at 5-6 hours per day. If a participant does work 8 hours in one day, he or she is entitled to an unpaid meal break. Time spent on breaks and meals is not to be included in the total work hours for the day. If a participant is not able to complete hours due to a federal holiday, illness, family emergency, etc., they will be allowed to make up those hours at a later date. Making up missed hours must occur no later than the end of the second week after the absence occurred. A SCSEP Participant cannot volunteer or be asked to volunteer additional hours beyond their scheduled training hours. Volunteering above and beyond violates the Fair Labor Standards Act. Participants **can** choose to volunteer in an area separate from their SCSEP responsibilities.

WAGES

Wages are set at South Dakota's minimum wage rate. SCSEP Participants are paid for their time worked at their host agency or other assignments by DLR SCSEP. Host agency supervisors are responsible for accurately recording the hours a participant works each day at his or her training assignment. Host agencies cannot supplement SCSEP wages under any circumstances. Because DLR is the employer and not the host agency, DLR covers a participant's wages and Federal Insurance Contribution Act (FICA). SCSEP wages **do** have effects on a participant's eligibility for Supplemental Security Insurance (SSI) and Social Security Disability Income (SSDI), as SCSEP will directly affect a participant's federal benefit rate. The programs that SCSEP wages **do not** affect eligibility are federal housing programs, Reemployment Assistance, Temporary Assistance for Needy Families (TANF), and Supplemental Nutrition Assistance Program (SNAP). DLR does not pay RA taxes on work experience wages and participants do not earn wage credits during their participation in SCSEP. The SCSEP Labor Program Specialist must report the number of hours each participant completed on their Community Service Assignment and Participant Training each quarter to U.S. DOL.

Fringe Benefits

Fringe benefits SCSEP Participants will receive are voluntary physical examination, workers compensation, and leave without pay (LWOP). While enrolled in SCSEP, federal law prohibits compensation for the following;

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

Monthly Monitors

Contact by DLR with SCSEP participants will be made every 30 days to review the success of the assignment and progress in finding permanent employment. Contact by DLR with the Host Agency Supervisor will also be made every 30 days to review the status of the SCSEP Participant. The monitors can be completed via phone or in person.

Physical Exam

A physical exam is a fringe benefit and cannot be used before being placed at a Community Service Assignment. A physical examination is a wellness check that screens for possible medical issues using health history, vital sign checks, visual observation of conditions, and physical observation of possible conditions. SCSEP's physical examination benefit does not include any initial or further blood work, lab work, medication, and subsequent medical treatment based on physical examination results. For any needed drug testing, required immunizations, and ophthalmologist visits for a Community Service Assignment requirement, refer to [Support Service](#) Policy 5.34. The SCSEP Physical Exam Waiver ([Form 86](#)) only needs to be completed once a year to verify the participant's acceptance and/or refusal of the Physical Exam. Participants must be offered the physical examination when they first start training at their host agency and each program year during recertification. Acceptance or refusal of the exam must be documented on the Physical Exam Waiver ([Form 86](#)).

Payroll and Timecards

Two options are available to SCSEP Participants; debit card or direct deposits into their bank account. It takes approximately three weeks to receive the debit card at the address the participant provided to DLR. Upon receiving the card, the participant will need to follow activation instructions. The direct deposit option will take approximately four weeks to activate the direct deposit. Any processed payments during that time will be available upon the completion of the direct deposit setup.

Two types of timecards; the Work Experience or CSA Timecard ([Form 18](#)) and the Timesheet Journal ([Form 13](#)). The payroll period covers 7 calendar days beginning on Saturday and ending on Friday. On Friday of each week, Form 18 needs to be signed and dated by the SCSEP Participant and Host Agency Supervisor. If the main Host Agency Supervisor is not able to sign the timesheet, the second person who signed the Work-Based Learning Training Plan Agreement and Monitor ([Form 19](#)) can sign on their behalf. If a Supervisor leaves the Host Agency, Form 19 must be re-signed by the new Host Agency Supervisor.

Timesheet Journals are used to record hours at an orientation session and other training outside of CSA hours. With a timesheet journal, the participant will record how many hours they received training and what they learned during the training.

Below is an example of the fiscal process: when time cards need to be submitted and when payments are approved. The Host Agency Supervisor needs to submit timecards to the SCSEP Employment Specialist before Monday at 10 a.m. central time. The SCSEP Employment Specialist will submit the timecard to the Fiscal Division by Wednesday. If holidays fall on a Monday, the timecard will need to be submitted on Tuesday and payments submitted to Fiscal on Thursday. The participant will receive their payment two weeks after the timecard is submitted.

For a visual example of the financial process, please see the table below:

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Timecard submitted to DLR by 9 am		Fully approved payment request sent to Fiscal by Noon.			
		*Depending on bank process, you may see direct deposit into account/card here	*Depending on bank process, you may see direct deposit into account/card here			

Timecards must never be signed and dated prior to the last day worked. Timecards must be submitted to the SCSEP Employment Specialist by the Host Agency Supervisor. If an error is made in recording work hours, corrections should be made by the Host Agency Supervisor by drawing a single line through the error and putting in the correct information.

SUPPORT SERVICES

SCSEP and WIOA Support Services are available to SCSEP Participants when eligible for SCSEP and 12 months after a participant was hired for unsubsidized employment. [Support Services](#) Policy 5.34.

LEAVE WITHOUT PAY

Participants are granted Leave Without Pay (LWOP) for up to **60 calendar days** for medical, educational, military, bereavement, or other reasons. LWOP should not exceed a total of 60 calendar days in the previous 12 months unless approved ahead of time by the Labor Program Specialist. These 60 days are good for one year, starting in July of one year and ending in June of the year after. For example, the participant used up to 55 days of LWOP between July 1, 2030, and June 30, 2031, meaning they had 5 days left over. If the participant uses all LWOP within this time frame, they will be terminated from the program and must reapply for their position.

- **Advance Leave** – If a participant is aware they will be absent at any time during CSA training and/or Participant Training, participants are required to submit a Leave Without Pay (LWOP) Request to the Employment Specialist five days before their absence. Participants must also notify their host agency supervisor of their absence.
- **Host Agency Transfer** – Participants must always be assigned to a Community Service Assignment while enrolled in the program. If the participant is taken out of their current host agency to be transferred to another, the participant must be placed on LWOP if the host agency transfer does not occur within **three days, not working days**. The participant will not receive CSA or participants hours for these three days. Upon the fourth day of no host agency, the use of LWOP begins.
- **Illness** – If a participant is out due to illness for **three** or more consecutive working days, the participant should contact the Employment Specialist after three days, but contact the Host Agency Supervisor on day one of the illness. The following steps must be completed prior to a participant's return to work.
 1. A signed doctor's statement stating the participant can go back to work.
 2. SCSEP LWOP ([Form 90](#)) must be completed.

Note: If a participant misses a standard week of work or less due to illness and wishes to make up those hours during the following week, the participant will not need to submit an LWOP Form 90. The makeup hours will need to be approved by the Host Agency Supervisor.

If the participant's illness means they are receiving medical treatment that precludes entry into unsubsidized employment or continued participation in the program and they are close to exhausting LWOP, obtain an official medical record to prove the exit is a medical-exclusion exit and not LWOP exhaustion. This does not include temporary conditions or situations expected to last for less than 90 days.

- **Jury Duty** – A participant may be granted time off for jury duty and given the choice to make up the missed training time or not be paid. Making up hours for jury duty follows the same process as making up sick hours (see above). LWOP does not need to be utilized when completing Jury Duty hours if the participant does not want to make up the hours.
- **Accident** – If a participant is injured at their host agency, the participant must notify their host agency Supervisor and Employment Specialist immediately of the accident. The participant shall complete the [First Report of Injury](#) form, and submit the form to their Employment Specialist within three business days of the injury's occurrence. The First Report of Injury needs to be emailed to the Labor Program Specialist who will fill out the Employer section and send the accident report to DLR's insurance company.
- **Natural Disasters and Unforeseen Emergency** – If participants are unable to report to their assignments because of unforeseen events such as tornados, floods, or family emergencies, they should contact their host agency Supervisor and the Employment Specialist to inform them of their whereabouts and when they anticipate being able to return to their assignment. Each participant will be permitted to make up hours missed or will be reassigned to another host agency.
- **Unexcused Absences** – An unexcused absence occurs when a participant is absent without prior permission from the host agency supervisor and does not have a reasonable excuse. An unexcused absence may result in

disciplinary action, including termination from the program. A participant will not have the opportunity to make up time missed due to an unexcused absence.

HOST AGENCY CLOSINGS

If a host agency is closed, participants can make up their time missed during the same or the next two work. If a host agency is closed due to inclement weather or another emergency, the participant will not be paid for regularly scheduled hours for that day but will have the opportunity to make up the time missed during the same or following two workweeks after the absence.

If a host agency is a government agency or nonprofit, they may be closed on a federal holiday. See below for all the federally recognized holidays:

- New Year's Day
- Martin Luther King, Jr./Civil Rights Day
- President's Day
- Memorial Day
- Independence Day
- Labor Day
- Native American Day/Columbus Day
- Veterans Day
- Thanksgiving Day
- Christmas Day

If the host agency is open on any of the days listed above and the SCSEP Participant is normally scheduled to train on those days, they are expected to fulfill their scheduled hours. If the SCSEP participants will not be able to train on the holiday hours as scheduled, they will need to discuss this with their host agency supervisor and SCSEP Employment Specialist before the holiday arrives.

PARTICIPANT RESPONSIBILITIES

Job Search

Participants receive job search assistance from DLR and the host agency. DLR provides support, coordinates training plans, helps develop job opportunities, and assists participants in achieving goals outlined in the Employment Plan. All SCSEP participants must:

- Be registered as a job seeker in SDWORKS;
- Attend a Job Search Workshop in person or virtually; and
- Regularly look for job openings.

Participant Travel and Operation of Motor Vehicles

The need for the participant to drive must be documented on the Community Service Training Plan or it is prohibited for a SCSEP Participant to drive. The Community Service Training Plan needs to have an explanation of why the participant must drive during their Community Service Assignment. Participants are prohibited from operating their vehicles, even to run occasional short errands when completing hours at their Community Service Assignment. For an approved Community Service Assignment that requires the participant to drive, a participant may drive a vehicle belonging to the host agency.

Host Agency Driving Requirements

The host agency is required to ensure the participant with auto liability insurance of at least \$100,000 per person, \$300,000 per accident for bodily injury, and \$25,000 per accident for property damage. If the host agency has a combined single limit policy, the coverage must be a minimum of \$300,000. Directors have the discretion to require more than \$300,000 on a single limit policy. Host agencies and participants are responsible for notifying DLR of any automobile insurance carrier or coverage change at least 10 days before the effective date of the change. If the host agency is a South Dakotan state government entity, auto liability insurance is automatically covered for the participant.

All the participant needs are a valid driver's license and a vehicle record. Labor Program Specialist must be notified that driving is required for a CSA with the state government.

The host agency is required to ensure the participant is covered under their insurance when the participant is a passenger in the Host Agency vehicle.

WEAPONS IN THE WORKPLACE

Regardless of the concealed carry law in South Dakota, it is against SCSEP policy to carry or have in your possession a weapon at any time during training hours, whether meeting with the SCSEP Employment Specialist or training at the community service assignment.

The weapon is defined as "any firearm or knife with a blade exceeding 2 1/2 inches". If a SCSEP Participant is observed carrying a weapon at a host agency, the supervisor has the jurisdiction to report this to the SCSEP Employment Specialist. This could lead to disciplinary action, with possible termination from the program.

DRUG-FREE WORKPLACE ACT

The dispensing, possession, or use of a controlled substance and/or alcohol is strictly prohibited when participating in SCSEP training. It is prohibited to use, consume, sell, purchase, or transfer any illegal drug while on a community assignment or at a SCSEP sponsored training.

Use of legally prescribed medications is permitted. However, if the use of medication adversely affects your abilities to perform your training duties or endangers others, talk to your SCSEP coordinator about these situations. A new host agency can be assigned to fit your needs on medication.

Anyone who violates the Drug-Free Workplace policy is subject to disciplinary action, which includes possible termination from SCSEP.

COMPLAINTS AND GRIEVANCES

SCSP Participants will receive a copy of the grievance policy during their orientation as part of Equal Opportunity ([Form 2](#)). SCSEP Participants can file a grievance to address issues regarding the following:

- Service denial
- Termination from the program

In the situation where the SCSEP Participant is a victim of unfair treatment, discrimination, or harassment by a supervisor, manager, coworker, staff member, or host agency, they **do not follow the steps below**. Instead, they should alert their SCSEP Employment Specialist about the situation and they will work with the SCSEP Participant through the next steps.

To appeal the decision of DLR staff not discriminatory in nature, the SCSEP Participant will contact the manager at the Job Service Office within 15 calendar days of the decision to explain their appeal. The appeal will be communicated to the SCSEP Labor Program Specialist who will determine an outcome in 15 days. If the SCSEP Participant would like to appeal the Program Specialist's decision or find it difficult to discuss the problem with the Program Specialist, the SCSEP Participant may proceed directly to the Director of Workforce Development as discussed in the next paragraph.

If the SCSEP Participant chooses to appeal the Labor Program Specialist's decision, written justification and any supporting documentation should be provided to the Director of Workforce Training within 15 days from the Labor Program Specialist's response. If a written appeal is not received by the Director of Development within 15 calendar days of the manager's decision, the Labor Program Specialists' DLR WIOA – Section 10 – Form 2 REV 04/2019 decision will be final. Director of Workforce Training South Dakota Department of Labor and Regulation 123 W. Missouri Ave. Pierre, SD 57501. The Director of Workforce Development will make a final determination in writing within 15 days of

receipt of the letter. If additional time is required for the manager or Director of Workforce Development to provide a meaningful response, the SCSEP Participant will be notified of the anticipated response date.

CUSTOMER SATISFACTION SURVEY

Customer satisfaction surveys are sent to host agencies and participants, by mail through a random selection process, each year. The surveys responses are private and will not be used in any way that identifies the respondents. Once completed the surveys will be returned to The Charter Oak Group in a postage-paid, self-addressed envelope provided with the survey. Responses to the survey will be used to make program improvements.

PROHIBITION OF POLITICAL ACTIVITY – HATCH ACT

DLR ensures compliance with the SCSEP regulations and the prohibitions under the **Hatch Act**. A participant may not engage in political activities (partisan or nonpartisan) while performing a training assignment. In addition, a participant may not act as a spokesperson for DLR/SCSEP while engaged in partisan political activity. Prohibited political activities include, but are not limited to:

- The assignment of a participant to engage in activities for or on behalf of a partisan political candidate or activity;
- Lobbying, collecting funds, planning meetings, making speeches, distributing literature; and
- Otherwise attempting to influence political opinion.

A participant may engage in partisan political activities on his or her own time unless he or she is subject to the Hatch Act. Ensure the following:

- No participants or staff engages in partisan or non-partisan political activities during hours for which they are paid with SCSEP funds.
- No participants or staff persons engage in partisan political activities in which such participants or staff persons represent themselves as spokespersons for DLR or SCSEP.
- No participants are placed in a training assignment in the office of a member of Congress or a state or local legislator, or on the staff of any legislative committee.
- No participants are assigned to training in the immediate offices of any elected chief executive officer of a state or unit of general government except:
 - Units of local government may serve as host agency training sites, provided assignments are nonpolitical; and
 - While assignments may technically place participants in such offices, the assignments must be related to program and service activities and not in any way involved in political functions.
 - No participants are assigned to perform political activities in the offices of other elected officials. Placement of participants in such offices in nonpolitical assignments is permissible provided-the participant is not involved in political activities.

Participants are generally not subject to the Hatch Act restrictions. Exceptions to this rule may be found in those instances where:

- The participant's host agency is receiving assistance under either the Community Service Block Grant Program or the Head Start Program and has assumed responsibility for planning, developing, and coordinating community anti-poverty programs or Head Start Programs, or the participant's host agency is a state or local government receiving assistance under federal loans or grants.
- The participant is assigned duties directly connected with the federally financed activities. In the few instances where participants are subject to the Hatch Act, those participants may not;
- Be a candidate for public office in a partisan election
- Use official authority or influence for interfering with or affecting the results of an election or a nomination for an office, directly or indirectly; or
- Coerce contributions from subordinated in support of a political party or candidate activities in a partisan election.

- A notice explaining the allowable and unallowable political activities under the Hatch Act must be posted in every workplace in which SCSEP activities are conducted.
- Before the Host Agency participates in SCSEP, staff obtains an authorized signature on the Host Agency Agreement, which discusses the prohibition on participation in political activity.
- Political Patronage.
- DLR will not provide funds to any host agency or other entity based on political affiliation.

*20 CFR §641.200, 210
§641,641.520, 535, 540, 545, 550
§641.565, 577, 910*