

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Project Goals and Objectives	DAIL-SCSEP-20.1
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Project Goals and Objectives

The Department for Aging and Independent Living is authorized under the Older Americans Act of 1965¹, through the U.S. Department of Labor to administer the Title V Senior Community Service Employment Program (SCSEP). The major objective of the program is to eliminate as many barriers to employment for older Americans as possible.

The dual goals of the SCSEP are to provide economically disadvantaged older persons an opportunity for employment, while fostering useful part-time opportunities in community service activities. SCSEP targets persons with low income who are fifty-five years old or older. Benefits derived from this program include:

- (1) Earned income;
- (2) Development of employable skills;
- (3) Yearly physical examinations;
- (4) Opportunity for full-time or part-time unsubsidized employment;
- (5) Meaningful activities outside the home environment including the continuation of mental, physical, and socialization activities; and
- (6) Maintenance of independence, dignity, and self worth of older persons.

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

¹ Public Law 89-73, as amended, Section 502 (42 U.S.C. 3056)

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Definitions

The following definitions apply to the operation of this program:

- (1) Additional indicators mean retention in unsubsidized employment for one year; satisfaction of participants, employers and their host agencies with their experiences and the services provided; and any other indicators of performance.
- (2) At risk for homelessness means an individual is likely to become homeless and the individual lacks the resources and support networks needed to obtain housing.
- (3) Authorized position level means the number of SCSEP enrollment opportunities that can be supported for a 12-month period based on the average national unit cost. *The authorized position level is derived by dividing the total amount of funds appropriated for a Program Year by the national average unit cost per participant for that Program Year. The national average unit cost includes all costs of administration, other participant costs, and participant wage and benefit costs as defined in Section 506(g) of the OAA.*
- (4) Co-enrollment applies to any individual who meets the qualifications for SCSEP participation and is also enrolled as a participant in WIA or another employment and training program, as provided in the Individual Employment Plan.
- (5) Community service¹ means (1) Social, health, welfare, and educational services (including literacy tutoring), legal and other counseling services and assistance, including tax counseling and assistance and financial counseling, and library, recreational, and other similar services; (2) Conservation, maintenance, or restoration of natural resources; (3) Community betterment or beautification; (4) Antipollution and environmental quality efforts; (5) Weatherization activities; (6) Economic development; and (7) other such services essential and necessary to the community.
- (6) Community service assignment² means part-time, temporary employment paid

¹ (OAA Sec. 518(a)(1))

² (OAA Sec. 518 (a) (2)).

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with grant funds in projects at host agencies through which eligible individuals are engaged in community services and receive work experience and job skills that can lead to unsubsidized employment.

- (7) Core indicators³ means hours (in the aggregate) of community service employment; entry into unsubsidized employment for six months; earnings; the number of eligible individuals served; and most-in-need (the number of individuals described in Sect 518 (a)(3)(B)(ii) or (b)(2) of the OAA).
- (8) Core services means those services describe in Sec. 134(d) (2) of WIA.
- (9) Department or DAIL means the Department for Aging and Independent Living including organizational units.
- (10) Disability⁴ means a disability attributable to a mental or physical impairment, or a combination of mental and physical impairments, that results in substantial functional imitations in one or more of the following areas of major life activity:
- (a) Self-care;
 - (b) Receptive and expressive language;
 - (c) Learning;
 - (d) Mobility
 - (e) Self-direction;
 - (f) Capacity for independent living;
 - (g) Economic self-sufficiency;
 - (h) Cognitive functioning; and
 - (i) Emotional Adjustment
- (11) Equitable distribution report means a report based on the latest available Census or other reliable data, which lists the optimum number of participant positions in each designated area in the State, and the number of authorized participant positions each grantee serves in that area, taking into account the needs of underserved counties and incorporated cities as necessary. This report provides a basis for improving the distribution of SCSEP positions.
- (12) Frail means an individual 55 years of age or older who is determined to be

³ (OAA Sec. 513 (b) (1))

⁴ (42 U.S.C. 3002 (13))

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functionally impaired because the individual-

- (a) (i) Is unable to perform at least two activities of daily living without substantial human assistance, including verbal reminding, physical cueing, or supervision; or
- (ii) At the option of the State, is unable to perform at least three such activities without such assistance; or
- (b) Due to a cognitive or other mental impairment, requires substantial supervision because the individual behaves in a manner that poses a serious health or safety hazard to the individual or to another individual.

(13) Local government⁵ means a public agency or private non-profit organization, other than a political party, exempt from taxation under the provision of Section 501(c)(3) of the Internal Revenue Code of 1954, which provides a worksite and supervision for an enrollee.

(14) Greatest economic need⁶ means the need resulting from an income level at or below the poverty guidelines established by the Department of Health and Human Services and approved by the Office of Management and Budget (OMB).

(15) Greatest social need means the need caused by non-economic factors, which include: Physical and mental disabilities; language barriers; and cultural, social, or geographical isolation, including isolation caused by racial or ethnic status, which restricts the ability of an individual to perform normal daily tasks or threatens the capacity of the individual to live independently. (42 U.S.C. 3002(24))

(16) Homeless Includes:

- (a) An individual who lacks a fixed regular, and adequate nighttime residence; and
- (b) An individual who has a primary nighttime residence that is:
 - (i) A supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare

⁵ (42 U.S.C. 3002(22))

⁶ (42 U.S.C. 3002(23))

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hotels, congregate shelters, and transitional housing for the mentally ill;
(ii) An institution that provides a temporary residence for individuals intended to be institutionalized; or
(iii) A public or private place not designed for, or ordinarily used as regular sleeping accommodations for human beings⁷.

- (17) Host agency⁸ means s public agency or a private nonprofit organization exempt from taxation under Section 501 (c) (3) of the Internal Revenue Code of 1986 of which provides a training work site and supervision for one or more participants. Political parties cannot be host agencies. A host agency may be a religious organization as long as the projects in which participants are being trained do not involve the construction, operation, or maintenance of any facility used or to be used as a place for sectarian religious instruction or worship.
- (18) Individual employment plan (IEP)⁹ means a plan that is based on an assessment of that participant conducted by the sub-recipient, or a recent assessment or plan developed by another employment and training program, and a related service strategy. The IEP must include an appropriate employment goal (except that after the first IEP, subsequent IEPs need not contain an employment goal if such a goal is not feasible), objectives that lead to the goal, a timeline for the achievement of the objectives; and be jointly agreed upon with the participant.
- (19) Intensive services mean those services authorized by Sec. 134 (d) (3) of the Workforce Investment Act.
- (20) Jobs for Veterans Act¹⁰ means Public Law 107-288 (2002). Section 2(a) of the Jobs for Veterans Act, codified at 38 U.S.C. 4215(a) provides a priority of service for Department of Labor employment and training programs for

⁷ (42 U.S.C. 11302(a))

⁸ (OAA Sec. 502 (b) (1) (D))

⁹ (OAA Sec. 502 (b) (1) (N))

¹⁰ (Sec. 641. 520 (b))

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veterans, and certain spouses of veterans, who otherwise meet the eligibility requirements for participation. Priority is extended to veterans. Priority is also extended to the spouse of a veteran who died of a service-connected disability; the spouse of a member of the Armed Forces on active duty who has been listed for a total of more than 90 days as missing in action, captured in the line of duty by a hostile force, or forcibly detained by a foreign government or power; the spouse of any veteran who has a total disability resulting from a service-connected disability; and the spouse of any veteran who died while a disability so evaluated was in existence.

- (21) Job ready refers to individuals who do not require further education or training to perform work that is available in their labor market.
- (22) Limited English proficiency means individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English.
- (23) Local Workforce Investment Area or local area means an area designated by the Governor of a State under Sec. 116 of the Workforce Investment Act.
- (24) Local Board means a Local Workforce Investment Board established under Sec 117 of the Workforce Investment Act.
- (25) Low employment prospects means the likelihood that an individual will not obtain employment without the assistance of the SCSEP or another workforce development program. Persons with low employment prospects have a significant barrier to employment may include but are not limited to : Lacking a substantial employment history, basic skills, and/or English –language proficiency; lacking a high school diploma or the equivalent; having a disability; being homeless; or residing in socially and economically isolated rural or urban areas where employment opportunities are limited.
- (26) Low literacy skills means the individual computes or solves problems, reads, writes, or speaks at or below the 8th grade level or is unable to compute or solve problems, read, write, or speak at a level necessary function on the job, in the individual's family, or in society.
- (27) Most-in-need¹¹ means participants with one or more of the following

¹¹ (OAA Sec 513 (b) (1) (E))

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characteristics: Have a sever disability; are frail; are age 75 or older; are age-eligible but not receiving benefits under title II of the Social Security Act; reside in an area with persistent unemployment and have severely limited employment prospects; have limited English proficiency; have low literacy skills; have a disability; reside in a rural area; are veterans; have low employment prospect; have failed to find employment after using services provided under title I of the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq); or are homeless or at risk for homelessness..

- (28) One-Stop Center¹² means the One-Stop Center system in a WIA local area which must include a comprehensive One-Stop Center through which One-Stop partners provide applicable core services and which provides access to other programs and services carried out by the One-Stop partners. (See WIA Sec. 134 (c) (2)).
- (29) One –Stop delivery system means a system under which employment and training programs, services, and activities are available through a network of eligible One-Stop Center through which One-Stop partners provide applicable core services and which provides access to other programs and services carried out by the One-Stop partners..
- (30) One-stop partner means an entity described in Sec. 121 (b)(1) of the Workforce Investment Act, i.e., required partners, or an entity described in Sec. 121 (b)(2) of the Workforce Investment Act, i.e., additional partners.
- (31) Other participant (enrollee) costs means the costs of participants training, including the payment of reasonable costs instructors, classroom rental, training supplies, materials, equipment, and tuition, and which may be provided before or during a community services assignment, in a classroom setting , or under other appropriate arrangements; job placement assistance, including job development and job search assistance; participant supportive services to enable a participant to successfully participate in a project, including the payment of reasonable costs of transportation, health care and medical services, special job-related or personal counseling, incidentals (such as work shoes, badges, uniforms, eyeglasses, and tools), child and adult care, temporary shelter, and follow-up services; and outreach, recruitment and selection, intake orientation, and assessments.

¹² (See WIA Sec. 134 (c) (2))

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- (32) Participant means an individual who is determined to be eligible for the SCSEP, is given a community service assignment, and is receiving any service funded by the program as described in subpart E.
- (33) Persistent unemployment means that the annual average unemployment rate for a county or city is more than 20 percent higher than the national average for two out of the last three years.
- (34) Poor employment prospects means the significant likelihood that an individual will not obtain employment without the assistance of the SCSEP or another workforce development program. Persons with poor employment prospects have a significant barrier to employment; significant barriers to employment include but are not limited to: lacking a substantial employment history, basic skills, and/or English- language proficiency; lacking a high school diploma or the equivalent; having a disability; being homeless; or residing in socially and economically isolated rural or urban areas where employment opportunities are limited.
- (35) Program Year means the one-year period beginning on July1 and ending on June 30.
- (36) Project means an undertaking by a sub-recipient in accordance with a contract agreement that provides service to communities and training and employment opportunities to eligible individuals.
- (37) Residence means an individual's declared dwelling place or address as demonstrated by appropriate documentation.
- (38) Rural means an area not designated as a metropolitan statistical area by the Census Bureau; segments within metropolitan counties identified by codes 4 through 10 in the Rural Urban Commuting Area (RUCA) system; and RUCA codes 2 or 3 for census tracts that are larger than 400 square miles and have population density of less than 30 people per square mile.
- (39) SCSEP means the Senior Community Service Employment Program authorized under title V of the OAA.
- (40) Service area means the geographic area served by a local SCSEP project in accordance with a grant agreement.

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- (41) Severe disability¹³ means a severe, chronic disability attributable to mental or physical impairment, or a combination of mental and physical impairments, that-
- (a) Is likely to continue indefinitely; and
 - (b) Results in substantial functional limitation in 3 or more of the following areas of major life activity;
 - (i) Self-care
 - (ii) Receptive and expressive language;
 - (iii) Learning;
 - (iv) Mobility;
 - (v) Self-direction;
 - (vi) Capacity for independent living;
 - (vii) Economic self-sufficiency;
- (42) Severely limited employment prospects means the substantial likelihood that an individual will not obtain employment without the assistance of the SCSEP or another workforce development program. Persons with severely limited employment prospects have more than one significant barrier to employment: significant barriers to employment may include but are not limited to:
- (a) Lacking a substantial employment history
 - (b) Basic skills, and/or
 - (c) English-language proficiency
 - (d) Lacking a high school diploma or the equivalent;
 - (e) Having a disability
 - (f) Being homeless; or residing in socially and economically isolated rural or urban areas where employment opportunities are limited.
- (43) State Board means a State Workforce Investment Board established under WIA Section 11.
- (44) State Plan means a plan that the Governor, or the highest government official, of a State must submit to the Secretary that outlines a four year strategy, and describes the planning and implementation process, for the statewide provision of community service employment and other authorized activities for eligible

¹³ (42 U.S.C. 3002(48))

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individuals under SCSEP. (See Sec. 641.300)

- (45) Sub-recipient means the legal entity to which a sub-award of financial assistance is made by the grantee (or by a higher-tier sub-recipient), and that is accountable to the grantee for the use of the funds provided. As used here, "sub-recipient" includes "sub-grantee" as defined in 29 CFR 97.3 and "sub-recipient" as defined in 29 CFR 95.2 (k).
- (46) Supportive services means services, such as,
- (a) Transportation,
 - (b) Health and medical services,
 - (c) Special job-related or personal counseling,
 - (d) Incidentals, such as,
 - 1) Work shoes
 - 2) Badges
 - 3) Uniforms
 - 4) Eyeglasses, and

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5) Tools

- (e) Child and adult care
- (f) Housing, including temporary shelter,
- (g) Follow up services, and
- (h) Needs-related payments, which are necessary, enable an individual to participate in activities authorized under the SCSEP¹⁴.

(47) Title V of the OAA means 42 U.S. C. 3056 et seq., as amended.

(48) Training services means those services authorized by WIA Sec. 134 (d) (4).

(49) Unemployed¹⁵ means an individual who is without a job and who wants and is available for work, including an individual who may have occasional employment that does not result in a constant source of income.

(50) Veteran means an individual who is a “covered person” for purposes of the Jobs for Veterans Act, 38 U.S.C. 4215(a)(1).

(51) Workforce Investment Act (WIA) means the Workforce Investment Act of 1998 (Pub L. 105-220(Aug. 7, 1998)), 29 U.S.C. 2801 et seq., as amended.

(52) Workforce Investment Act (WIA) regulations means regulations at 20 CFR part 652, subpart D and parts 660-671.

¹⁴ (OAA Sec. 502 (c) (6) (A) (iv) and 518 (a) (7))

¹⁵ (OAA 518 (a) (8))

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Recruitment and Selection of Participants	DAIL-SCSEP-20.3
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Recruitment and Selection of Participants

- (1) Use methods of recruitment and selection which will serve the maximum number of eligible individuals in the project.
- (2) Enroll minority and Indian eligible individuals, eligible individuals with limited English proficiency, and eligible individuals with greatest economic need, at least in proportion to the numbers in the area, and poverty and unemployment rates.
- (3) Use the One-Stop delivery system as one method in the recruitment and selection of eligible individuals.

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Participant's Employment Status	DAIL-SCSEP-20.3.1
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Participant's Employment Status

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

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Eligibility Criteria	DAIL-SCSEP-20.3.2
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Eligibility Criteria

- (1) Eligibility criteria set forth in this section apply to all applicants for the SCSEP.
 - (a) Sub-recipient must document the eligibility of each applicant.
 - (b) Sub-recipients shall determine initial eligibility at the time of application.
 - (c) Applicants deemed job ready may not enroll in the SCSEP.

- (2) To be eligible for the SCSEP a participant must meet the criteria for age, income and place of residence during the initial enrollment, recertification, and reenrollment. The criteria are as follows:
 - (a) Age-an individual shall be no less than 55 years of age. No applicant or participant whose age is 55 years or more shall be determined ineligible because of age, and no upper age limit shall be imposed for initial or continued enrollment or reenrollment.
 - (b) Income- the income of an individual or of the family of which the individual is a member shall not exceed the low income standards defined by the U.S. Department of Labor. The income definition and guidelines shall be applied during initial enrollment, recertification, and reenrollment.
 - (c) Place of residence-an individual shall reside in the state of Kentucky during the initial enrollment, recertification, and reenrollment. For this program the term "place of residence" means an individual's declared permanent dwelling place. No requirement pertaining to length of residency prior to participation in the SCSEP shall be imposed.
 - (d) Unemployed-Participants must be unemployed at the time of application, enrollment, recertification, and reenrollment. A participant who is employed is not eligible for participation in SCSEP.

- (3) Sub-recipients shall not impose additional conditions or requirements for eligibility.

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Ineligible Applicant	DAIL-SCSEP-20.3.3
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Ineligible Applicant

Sub-recipients shall:

- (1) Take an application from any individual who indicates a desire to apply.
- (2) Provide information about the program and its eligibility requirements without taking an application if the individual is only making an inquiry.
- (3) Inform an individual making an inquiry about the program, eligibility requirements, and assist an individual with calculating his or her income to determine if the individual meets income guidelines
- (4) Provide an individual determined ineligible the right to appeal that determination.
- (5) Refer ineligible applicants to the One-Stop or to other appropriated service providers. Such activity may be conducted by:
 - (a) Sub-recipient staff, or
 - (b) Participants assigned to the sub-recipient's office.

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Income Eligibility	DAIL-SCSEP-20.3.4
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Income Eligibility

A sub-recipient shall

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

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Includable Income	DAIL-SCSEP-20.3.5
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The following benefit payments shall be included in SCSEP income eligibility determinations:

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

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Excludable Income	DAIL-SCSEP-20.3.6
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Excludable Income

The following benefit payments shall be excluded from SCSEP income eligibility determinations:

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

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Priority of Service	DAIL-SCSEP-20.3.7
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Priority of Service

- (1) Sub-recipients must give priority to individuals who have one or more to the following characteristics:
 - (a) Are 65 years of age or older;
 - (b) Have a disability
 - (c) Have limited English proficiency or low literacy skills;
 - (d) Reside in a rural area;
 - (e) Have low employment prospects
 - (f) Have failed to find employment after using services provided through the One-Stop delivery system; or
 - (g) Are homeless or are at risk for homelessness
 - (h) Are veterans or, in some cases, spouses of veterans for purposes of Section 2(a) of the Jobs for Veterans Act:

- (2) Sub-recipients may only determine priority characteristics at the time of enrollment.

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Priority to Veterans	DAIL-SCSEP-20.3.8
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Priority to Veterans

- (1) Section 2(a) creates a priority for service to veterans, and in some cases, spouses of veterans, who otherwise meets the program eligibility:
 - (a) Priority is extended to veterans.
 - (b) Priority is extended to the spouse of a veteran who died of a service-connected disability;
 - (c) The spouse of a member of the Armed Forces on active duty who has been listed for a total of more than ninety (90) days as missing in action, captured in the line of duty by hostile force, or forcibly detained by a foreign government or power,
 - (d) The spouse of any veteran who has a total disability resulting from a service connected disability, and
 - (e) The spouse of any veteran who died while a disability so evaluated was in existence.

- (2) Sub-recipients must apply these priorities in the following order:
 - (a) Persons who qualify as a veteran or qualified under Section 2(a) of the Jobs for Veterans Act and possess at least one of the other priority characteristics;
 - (b) Persons who qualify as a veteran or qualified spouse under Section 2(a) of the Jobs for Veterans Act and who do not possess any other of the priority characteristics;
 - (c) Persons who do not qualify as a veteran or qualified spouse under Section 2(a) of the Jobs for Veterans Act(non-veterans), and who possesses at least one of the other priority characteristics.

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Participant Rights and Responsibilities	DAIL-SCSEP-20.3.9
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Participant Rights and Responsibilities

- (1) To apply for SCSEP, an applicant shall submit official records to a sub-recipient that substantiate the applicant's:
 - (a) State of residence, such as:
 - 1) Driver's license;
 - 2) State, federal, or tribal ID card;
 - 3) Social Security statement;
 - 4) Rental agreement; or
 - 5) Voter registration card;
 - (b) Date of birth, such as:
 - 1) Birth certificate;
 - 2) Driver's license;
 - 3) Government identification card; or
 - 4) Social Security award letter;
 - (c) Number in the family, such as:
 - 1) A lease; or
 - 2) Signed third-party attestation that explains how participant supported self;
 - (d) A family-of-one, such as:
 - 1) Receipt of Social Security Disability Insurance (SSDI);
 - 2) Other Social Security Administration records;
 - 3) Medical records;
 - 4) Disability records;
 - 5) Veteran's medical record;
 - 6) Vocational rehabilitation letter; or
 - 7) Worker's compensation record; and
 - (e) Employment including:
 - 1) Official documents and business records that establish includable income; and
 - 2) Attestation that establishes no other includable income exists; or
 - 3) Military discharge papers or other military identification.
- (2) An individual selected for participation in the SCSEP shall participate in the following activities,
 - 1) Initial orientation;
 - 2) Initial assessment;
 - 3) Subsequent assessment; and
 - 4) Development of initial and updated IEP.
- (3) A participant shall not be considered a Federal employee solely as a result of the participant's participation in the SCSEP.
- (4) An applicant must be assigned a community service assignment to be considered a participant.

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Orientation	DAIL-SCSEP-20.3.10
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Orientation

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

- (1) project goals and objectives,
- (2) community service assignments,
- (3) training opportunities,
- (4) available supportive services,
- (5) the availability of a of free physical examination,
- (6) participant rights and responsibilities, and
- (7) permitted and prohibited political activities;
- (8) SCSEP policies and procedures,
- (9) Role of supervisors,
- (10) Evaluation of participant progress,
- (11) Maximum individual duration policy
- (12) Provision of safe working safety assessment
- (13) Documentation requirements
- (14) Termination policies
- (15) Grievance procedures.

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Assessment	DAIL-SCSEP-20.3.11
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Assessment

- (1) Sub-recipients shall:
- (2) Assess participants at least twice within a 12 month period
- (3) Use information obtained from the assessment to determine an appropriate community service assignment for participants.
- (4) An assessment and IEP developed under Title I of WIA will satisfy the requirement for SCSEP assessment and IEP as defined by 641.230.
- (5) When individuals are selected for participation in the SCSEP, the sub-recipient is responsible for providing assessment, including:
 - (a) Participant's work history,
 - (b) Skills and interests, talents,
 - (c) Physical capabilities,
 - (d) Aptitudes,
 - (e) Needs for supportive services,
 - (f) Occupational preferences,
 - (g) Training needs,
 - (h) Potential for performing community service assignments, and
Potential for transition to unsubsidized employment

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Individual Employment Plan (IEP)	DAIL-SCSEP-20.3.12
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Individual Employment Plan (IEP)

Sub-recipients and participants shall:

- (1) Use the information gathered during the initial assessment and subsequent assessments to develop the initial IEP and all updated IEPs.
- (2) Establish an initial goal of unsubsidized employment for all participants.
- (3) Develop transitional plans for participants who will reach the individual duration limit without achieving unsubsidized employment.
- (4) Document transitional plans on the participant's IEP twelve (12) months prior to a participant reaching their individual durational limit.

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Transition Planning	DAIL-SCSEP-20.3.13
Effective Date: April 1, 2011	Page 1 of 1

Transition Planning

Sub-recipients shall:

- (1) Develop transitional plans for participants who will reach their individual durational limit.
- (2) Reassess each participant who will reach their 48 month limit.
- (3) Develop an updated IEP that:
 - (a) For participants that no longer have unsubsidized employment as a goal, begin transitioning to other activities as appropriate.
 - (b) For participants with unsubsidized employment as a goal, escalate skill and/or job development, and job searches.
- (4) Refer participants to other services, such as, local One-Stops, volunteer activities, and related employment opportunities.
- (5) Help participants who will reach their individual durational limit without achieving unsubsidized employment with planning for life without SCSEP wages and decreased socialization.
- (6) Follow the attached reassessment notification dates for participants who will reach their individual durational limit.
- (7) Develop an exit process that includes a:
 - (a) Recruitment Plan to replace exiting participants, if necessary Host Agencies
 - (b) Placement plan for exiting participants.

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Community Service Assignment (CSA)	DAIL-SCSEP-20.3.14
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Community Service Assignment (CSA)

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

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Recertification of Participants	DAIL-SCSEP-20.3.15
Effective Date: April 1, 2011	Page 1 of 1

Recertification of Participants

Sub-recipients shall:

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

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Individual Durational Limit	DAIL-SCSEP-20.4
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Individual Durational Limit

A sub-recipient shall inform a participant, when enrolled in the SCSEP:

- (1) An eligible individual may participate in the SCSEP for a maximum duration of forty-eight (48) months in the aggregate.
- (2) Provide for a system to transition a participant to unsubsidized employment or other assistance before the maximum enrollment duration has expired;
- (3) Reflect the transition in the participant's IEP; and
- (4) Ensure that a project does not exceed the overall average participation cap of twenty-seven (27) months.

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Break-in-Participation	DAIL-SCSEP-20.4.1
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Break-in-Participation

An authorized break in participation from SCSEP shall:

- (1) Be considered a formal leave of absence for the following reasons:
 - (a) Personal circumstance; or
 - (b) If a suitable community service assignment was unavailable
 - (c) Be formally entered into SPARQ database; and
 - (d) Not count toward the individual time limit.

- (2) A sub-recipient shall:
 - (a) Notify a participant at the time of enrollment of the break in participation policy.
 - (b) Notify a participant at the time of enrollment that any break in participation shall be without pay.
 - (c) Host agency supervisors, with notification to the sub-recipient, approve a two week break in participation for participants assigned to that host agency.
 - (d) Approve, with agreement from the host agency supervisor, a break in participation for up to sixty (60) days.
 - (e) A participant may be granted a leave of absence with approval from the department for up to ninety (90) calendar days in extenuating circumstances such as:
 1. Illness;
 2. Family care; or
 3. Institutionalization

 - (f) Except for an extenuating circumstance, the participant must request a leave of absence or approved break in participation from the host agency supervisor, at least five (5) working days prior to the proposed absence or break.

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Waiver of Individual Durational Limit	DAIL-SCSEP-20.4.2
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Waiver of Individual Durational Limit

- (1) A participant shall be eligible for a waiver for individual durational limit for up to twelve (12) months, if the participant meets one (1) of the following criteria:
 - (a) Be severely disabled or,
 - (b) Be frail
- (2) Each waiver criteria must be documented in accordance with the SCSEP Data Validation handbook, as revised.
- (3) Requests for waiver must be submitted to the State SCSEP coordinator ninety (90) days prior to the participant reaching the forty-eight (48) month durational limit.
- (4) Waiver submissions must include the length of time the waiver is requested, all relevant documentation of waiver status, and documentation of the utilization of a transition plan.
- (5) The State Coordinator shall have thirty (30) days to review the waiver request and documentation before requesting a waiver from the Department of Labor
- (6) Participants shall be notified of eligibility to receive a waiver, within thirty (30) days of a waiver request.
- (7) If a participant is denied a waiver, the sub-recipient will inform the participant in writing of the grievance procedure.
- (8) Denial of a waiver would be based on:
 - (a) Failure to document that the participant possess one of the waiver criteria, documented above.
 - (b) Documentation is not appropriate or consistent with the guidelines set up in the Data Validation handbook.
 - (c) Termination is more appropriate as outlined in Section 641.580.
- (9) All current participants shall be notified of the durational limit policy within thirty (30) days of policy approval. All new participants shall be notified of the durational limit policy during enrollment and will sign an acknowledgement form verifying receipt and understanding of the policy.

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Waiver of Individual Durational Limit	DAIL-SCSEP-20.4.2
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A sub-recipient shall manage its SCSEP project in such a way that does not exceed an average participation cap for all participants of twenty-seven (27) months in the aggregate.

The department may request an extended average participation period of up to thirty-six (36) months (in the aggregate) for a particular project area in a given program year, if the Department of Labor determines that circumstances exist to justify an extension due to the following:

- (1) High rates of unemployment or of poverty or of participation in the program of block grants to States for temporary assistance for needy families under part A of Title IV of the Social Security Act, in the areas served by a sub-recipient, relative to other areas of the State involved or the Nation;
- (2) Significant downturns in the economy of an area served by the sub-recipient or in the national economy;
- (3) Significant numbers or proportions of participants with one (1) or more barriers to employment, including "most-in-need" individuals described in 20 C.F.R. 641.710(a)(6), serviced by a sub-recipient relative to such numbers or proportions for sub-recipients serving other areas of the State or Nation;
- (4) Changes in federal, state, or local minimum wage requirements; or
- (5) Limited economies of scale for the provision of community service employment and other authorized activities in the areas served by the sub-recipient.

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Project Durational Limit	DAIL-SCSEP-20.4.3
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Project Durational Limit

A sub-recipient shall manage its SCSEP project in such a way that does not exceed an average participation cap for all participants of twenty-seven (27) months in the aggregate.

The department may request an extended average participation period of up to thirty-six (36) months (in the aggregate) for a particular project area in a given program year, if the Department of Labor determines that circumstances exist to justify an extension due to the following:

- (1) High rates of unemployment or of poverty or of participation in the program of block grants to States for temporary assistance for needy families under part A of Title IV of the Social Security Act, in the areas served by a sub-recipient, relative to other areas of the State involved or the Nation;
- (2) Significant downturns in the economy of an area served by the sub-recipient or in the national economy;
- (3) Significant numbers or proportions of participants with one (1) or more barriers to employment, including "most-in-need" individuals described in 20 C.F.R. 641.710(a)(6), serviced by a sub-recipient relative to such numbers or proportions for sub-recipients serving other areas of the State or Nation;
- (4) Changes in federal, state, or local minimum wage requirements; or
- (5) Limited economies of scale for the provision of community service employment and other authorized activities in the areas served by the sub-recipient.

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Participant Wages and Benefits	DAIL-SCSEP-20.5
Effective Date: April 1, 2011	Page 1 of 1

Participant Wages and Benefits

Sub-recipients shall:

- (1) Pay participants¹ the highest wage required by law for time spent in orientation, training, and community service assignments.
- (2) Pay SCSEP participants the highest applicable required wage while receiving WIA intensive services.
- (3) The highest applicable required wage is either minimum wage applicable under the Fair Labor Standards Act of 1939 or the prevailing rate of pay for persons employed in similar public occupations by the same employer.
- (4) Make any adjustments to minimum wage rates payable to participants as may be required by the Fair Labor Standards Act of 1939.
- (5) Only pay wages to participants.

Benefits

Sub-recipients shall:

- (1) Provide participants benefits that are required by law.
- (2) Provide benefits uniformly to all participants within a project or subproject
- (3) Prohibited wage and benefits costs²:
 - a. Participants may not carry over allowable benefits from one Program Year to the next;
 - b. Sub-recipients may not provide payment or otherwise compensate participants for unused benefits such as sick leave or holidays;
 - c. Sub-recipients may not use SCSEP funds to cover costs associated with the following participant benefits:
 1. Pension benefits
 2. Annual leave
 3. Accumulated sick leave
 4. Bonuses. OAA Section 502 (c)(6)(A)(i).

¹ Applicants are not considered participants until they receive a community service assignment.

² 20 CFR 614.565 (b) (2)

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Physical Exams	DAIL-SCSEP-20.5.1
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Sub-recipients must offer participants the opportunity to receive physical examinations annually;

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

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Worker's Compensation	DAIL-SCSEP-20.5.2
Effective Date: April 1, 2011	Page 1 of 1

Worker's Compensation

Sub-recipients shall:

- (1) Provide participants Worker's Compensation pursuant to KRS Chapter 342.
- (2) Make all required payments for payroll and worker's compensation premiums on a timely basis.
- (3) Prohibit host agencies from paying worker's compensation costs for participants.

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Federal Holiday Leave	DAIL-SCSEP-20.5.3
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Federal Holiday Leave

Sub-recipient shall:

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

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Sick Leave	DAIL-SCSEP-20.5.4
Effective Date: April 1, 2011	Page 1 of 1

Sick Leave

Sub-recipients shall:

- (1) Provide necessary sick leave in the form of rescheduled work time.
- (2) Provide monetary compensation for necessary sick leave when rescheduling work time is not feasible.

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Supportive Services	DAIL-SCSEP-20.5.5
Effective Date: April 1, 2011	Page 1 of 1

Supportive Services

Sub-recipients shall:

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

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Training Opportunities	DAIL-SCSEP-20.5.6
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Training Opportunities

- (1) A sub-recipient may arrange skill training for a participant beyond the training provided in a community assignment.
 - (a) The training must:
 - 1) Be realistic and consistent with the participant's IEP;
 - 2) Make the most of the participant's skills and talents; and
 - 3) Prepares the participant for unsubsidized employment.
 - (b) Training may be provided:
 - 1) Before or during a community service assignment
 - 2) In the form of:
 - a. Lectures;
 - b. Seminars;
 - c. Classroom instruction;
 - d. Individual instruction, or
 - e. On-the-job experiences; or
 - f. Through the sub-recipient or an arrangement with other workforce development programs such as WIA.

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

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Community Service Assignment Rotation	DAIL-SCSEP-20.5.7
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Community Service Assignment Rotation

Sub-recipients shall:

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

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Terminations	DAIL-SCSEP-20.6
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Terminations

A sub-recipient shall:

- (1) Provide a participant, when enrolled and at each subsequent recertification, a written copy and verbal review of policies for terminating a participant for involuntarily terminating a participant in accordance with the OAA Amendments of 2006 and the SCSEP Final Rule (effective October 1, 2010).
- (2) Apply the involuntary termination policy fairly and equitably when terminating any participant.
- (3) Not terminate a participant from SCSEP solely on the basis of their age nor impose an upper age limit for participation in SCSEP.
- (4) Provide participants with progressive discipline and an opportunity for corrective action before a formal termination notice is issued, unless the participant committed a serious violation, such as violence, threats to health or safety, or fraud.
- (5) Provide a thirty (30) day written notice explaining the reason(s) for termination, date of exit, and the right to appeal the decision.
- (6) Terminate a participant thirty (30) days after providing a written notice, for the following reasons:
 - (a) Knowingly providing false information during enrollment or recertification;
 - (b) Being incorrectly determined eligible at enrollment or recertification;
 - (c) Being determined ineligible at recertification
 - (d) Reaching the 48 month Individual Durational Limit
 - (e) For Cause, including the refusal of job offers or referrals consistent with a participant's IEP and there are no extenuating circumstances hindering the participant from moving to unsubsidized employment
 - (f) Becoming employed during enrollment

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Termination due to being incorrectly determined eligible at enrollment or recertification	DAIL-SCSEP-20.6.1
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Termination for knowingly providing false information

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

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Termination due to being incorrectly determined eligible at enrollment or recertification	DAIL-SCSEP-20.6.2
Effective Date: April 1, 2011 Revised Date: October 1, 2011	Page 1 of 1

Termination due to being incorrectly determined eligible at enrollment or recertification

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

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Termination due to being determined ineligible at recertification	DAIL-SCSEP-20.6.3
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Termination due to being determined ineligible at recertification

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

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Termination due to reaching the 48 month Individual Durational Limit	DAIL-SCSEP-20.6.4
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Termination due to reaching the 48 month Individual Durational Limit

A participant may be terminated upon reaching the 48 month Individual Durational Limit. A waiver qualifies the participant for a twelve (12) month extension of the durational limit, if the participant is severely disabled or frail. Twelve (12) months prior to reaching the Individual Durational Limit, the sub-recipient will begin the transitional planning process.

The participant will be sent a thirty (30) day notice of termination letter and grievance procedures within thirty (30) days of reaching the Individual Durational Limit. The participant will be allowed to continue the host agency assignment during the thirty (30) day notice period.

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) For Cause	DAIL-SCSEP-20.6.5
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For Cause

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

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

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Immediate Removal from Host Agency For Cause	DAIL-SCSEP-20.6.6
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Immediate Removal from Host Agency For Cause

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

Participants may be terminated for the following reasons:

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

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Progressive Discipline	DAIL-SCSEP-20.6.7
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Progressive Discipline

Sub-recipients have the right to move directly to termination process for serious violations, such as violence, threats to safety or health, or fraud, but normally the termination process will include progressive discipline.

A participant will be given an opportunity to correct his or her behavior or conduct, or comply with the IEP requirements. The following steps for corrective action will be taken:

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

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Grievance Procedures	DAIL-SCSEP-20.6.8
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Grievance Procedure

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

1. Make their grievance procedures available to applicants, employees, and participants.
 - (a) These procedures must be used to resolve complaints arising between the grantee, employees of the grantee, sub-recipients, and applicants or participants, and
 - (b) Must be implemented fairly and consistently.

2. Participants and employees must be informed of the formal grievance procedures at the time of enrollment or hire and the importance of following these procedures exactly to ensure compliance with federal requirements.
 - (a) During participant orientation, intake staff must discuss the grievance procedures and give each participant a copy of the procedures.
 - (b) Documentation of all adverse actions and steps to resolve complaints must be maintained.

3. A participant may file a grievance for the following reasons;
 - (a) Denial of eligibility at application and recertification
 - (b) Denial of paid training or supportive services
 - (c) Disputes over wages, work hours, assignments, Individual Employment Plans, working conditions, approved breaks, compensation for necessary sick leave and/or federal holidays
 - (d) Any disciplinary actions
 - (e) All termination, including individual durational limits
 - (f) Reduction in work hours
 - (g) Other areas as deemed appropriate

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Grievance Procedures	DAIL-SCSEP-20.6.8
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4. A participant who has a complaint should schedule a meeting with the local SCSEP coordinator to discuss the complaint and possible immediate remedies for resolution without going through the formal grievance procedures.
 - (a) Sub-recipient staff must respond to the informal complaint immediately, but no later than **five (5) business days** after receiving the complaint.
 - (b) The sub-recipient or the sub-recipient's authorized representative must meet with the individual in person to negotiate an informal resolution.
5. If the participant is dissatisfied with the informal resolution, the sub-recipient's authorized representative must inform the participant in writing of his or her right to file a formal grievance.
 - (a) The complainant should submit his/her request for a formal grievance in writing within **ten (10) days** of declining the informal resolution regarding the complaint.
 - (b) He or she must be provided written instructions for filing a formal grievance.
6. Sub-recipient staff must respond to the written grievance should take the following actions:
 - (a) Document the date the grievance was received
 - (b) Send a certified notice to the complainant at the registered address with the date, time, and location of the formal meeting.
 - (c) Conduct a formal meeting within **ten (10) business days** of receiving the written request from the complainant to attempt to resolve the grievance.
 - (d) Provide a written decision to the complainant within **three (3) business days** after the formal meeting with a statement of the intended actions to be taken, the reason(s) for the intended action, and an explanation of the process for requesting a state administrative hearing.

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Grievance Procedures	DAIL-SCSEP-20.6.8
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7. Notify the participant that a request for an administrative hearing may be filed with the Department of Aging and Independent Living, in writing and postmarked or hand-delivered to the address below within **thirty (30) business days** after the formal meeting.

- (a) A statement must also be included that the individual may represent him or herself or use legal counsel, a relative, a friend, or other qualified representative in the requested review proceedings.
- (b) In any administrative hearing, the agency shall conduct the hearing as soon as possible and give notice of the hearing to all parties less than twenty (20) days in advance of the scheduled date for the hearing.
- (c) The request for an administrative hearing must be submitted to the:

**Commissioner
Department for Aging and Independent Living
275 East Main Street, 3E-E,
Frankfort, KY 40621**

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

**Chief, Division of Adult Services
Employment and Training Administration
U.S. Department of Labor
200 Constitution Avenue NW
Washington, D.C. 20210**

- (e) Allegations of discrimination in violation of civil rights laws must be filed with:

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Grievance Procedures	DAIL-SCSEP-20.6.8
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**Director of the Civil Rights Center
U.S. Department of Labor
Room N-4123
200 Constitution Avenue, NW
Washington, D.C. 20210**

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Host Agency	DAIL-SCSEP-20.7
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Host Agency

Sub-recipients shall:

- (1) Develop and implement methods for recruiting new host agencies to provide a variety of training options that will enable participants to increase their skill level and transition to unsubsidized employment.
- (2) Host agencies are designated 501(c) (3) organizations or public agencies.
- (3) Monitor to assure adequate supervision of participants at host agencies.
- (4) Monitor to assure host agencies provide a safe and healthy working conditions.

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Host Agency Orientation	DAIL-SCSEP-20.7.1
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Host Agency Orientation

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

- (1) project goals and objectives,
- (2) community service assignments,
- (3) training opportunities,
- (4) available supportive services,
- (5) the availability of a of free physical examination,
- (6) participant rights and responsibilities, and
- (7) permitted and prohibited political activities;
- (8) SCSEP policies and procedures,
- (9) Role of supervisors,
- (10) Evaluation of participant progress,
- (11) Maximum individual duration policy
- (12) Provision of safe working safety assessment
- (13) Documentation requirements
- (14) Termination policies
- (15) Grievance procedures

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Role of Supervisors	DAIL-SCSEP-20.7.2
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Role of Supervisors

Sub-recipients shall ensure that Host Agency Supervisors:

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

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Maintenance of Effort	DAIL-SCSEP-20.7.3
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Maintenance of Effort

A Host Agency shall not:

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

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Provisions of Safe Working Environment	DAIL-SCSEP-20.7.4
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Provisions of Safe Working Environment

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

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

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Administrative Costs	DAIL-SCSEP-20.8
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Administrative Costs

Sub-recipients administrative costs shall not exceed 13.5 percent of the SCSEP funds received for a Program Year. Administrative costs are that allocable portion of necessary and reasonable allowable costs associated with:¹

- (1) Performing general administrative and coordination functions including:
 - (a) Accounting, budgeting, financial, and cash management functions;
 - (b) Procurement and purchasing functions;
 - (c) Property management functions;
 - (d) Payroll functions;
 - (e) Coordinating the resolution of findings arising from audits, reviews, investigations, and incident reports;
 - (f) Audit functions;
 - (g) General legal services functions;
 - (h) Preparing administrative reports; and
 - (i) Other activities necessary for general administration of government funds and associated programs.

- (2) Oversight and monitoring responsibilities related to administrative functions;

- (3) Costs of goods and services used for administrative functions of the program, including goods and services such as:
 - (a) Rental or purchase of equipment,
 - (b) Utilities,
 - (c) Office supplies,
 - (d) Postage, and
 - (e) Rental and maintenance of office space;

- (4) Travel costs incurred for official business in carrying out administrative activities or the overall management of the program;

- (5) Costs of information systems related to administrative functions, for example,
 - (a) Personnel,
 - (b) Procurement purchasing,
 - (c) Property management,
 - (d) Accounting, and payroll systems development, and
 - (e) Operating costs of such systems and;

- (6) Costs of technical assistance, professional organization membership dues, and evaluating results obtained by the projected against stated objectives.

¹ 20 CFR 641.856

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Programmatic Cost Activities	DAIL-SCSEP-20.8.1
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Programmatic Cost Activities

Sub-recipients must assign participants' wage and benefits costs and other participant costs to programmatic activity cost category.¹

Programmatic activity costs include, but are not limited to, the costs of the following functions:

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

¹ 20 CFR 641.853

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Other Participant Cost	DAIL-SCSEP-20.8.2
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Other Participant Cost

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

- (1) Reasonable costs to instructors, classroom rental, training supplies, materials, equipment, and tuition provided in a classroom setting or under other appropriate arrangements;
- (2) Job placement assistance, including job development and job search assistance;
- (3) Supportive services, including the reasonable costs of transportation, health care and medical services, special job-related or personal counseling, Incidentals (such as work shoes, badges, uniforms, eyeglasses, and tools), child and adult care, temporary shelter, and follow-up service;
- (4) Outreach,
- (5) Recruitment and selection,
- (6) Intake orientation; and assessment

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Fiscal and Project Performance Monitoring and Reporting Requirements	DAIL-SCSEP-20.8.3
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Fiscal and Project Performance Monitoring and Reporting Requirements

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

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

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Sub-recipient Responsibilities	DAIL-SCSEP-20.9
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Sub-recipient Responsibilities

A sub-recipient shall:

- (1) Provide SCSEP services throughout the geographic area under its area plan or proposal;
- (2) Adhere to provisions set forth in the OAA and federal regulations promulgated under the Act;
- (3) Implement and carry out the SCSEP in accordance with provisions of a sub-recipient agreement;
- (4) Enroll and serve minority eligible participants in proportion to minority numbers within the geographical jurisdiction of the program;
- (5) Recruit and determine eligibility of SCSEP participants;
- (6) Recruit and select host agencies;
- (7) Prevent host agency from reducing the number of employment opportunities or vacancies that would be available to an individual not participating in the program;
- (8) Provide supervision for SCSEP participants;
- (9) Assist a participant with supportive services identified on the participant's IEP;
- (10) Provide participant wages and benefits;
- (11) Coordinate with the local Workforce Investment Board initiatives and programs including co-enrollment of SCSEP participants;
- (12) Monitor for a participant's safe and healthy working conditions;
- (13) Permit staff of the department and the district to monitor and evaluate provided SCSEP services;
- (14) Monitor that each paid or voluntary staff member meets qualification and training of SCSEP;
- (15) Develop a policy and procedure for a referral for service to other programs and services in accordance with a participant's IEP;
- (16) Work with a participant to ensure the participant is:
 - (a) Receiving SCSEP services; and
 - (b) Taking actions designed to help achieve the participant's goals;
- (17) Contact private and public employers directly or through the One-Stop delivery system to develop or identify unsubsidized employment opportunities;
- (18) Encourage host agencies to assist a participant in the participant's transition to unsubsidized employment, including unsubsidized employment in the host agency;
- (19) Adhere to other sub-recipient requirements set forth in this administrative regulation; and
- (20) Submit required SCSEP data quarterly to the Department of Labor.

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Equitable Distribution	DAIL-SCSEP-20.9.1
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Equitable Distribution

Sub-recipients must manage slot allotment within equitable distribution guidelines, to the extent feasible, so that potential participants have equal access to the program.

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Over Enrollment	DAIL-SCSEP-20.9.2
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Over Enrollment

Sub-recipients must manage over-enrollment to minimize impact on participants and avoid layoffs.

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Collaboration and Leveraged Resources	DAIL-SCSEP-20.9.3
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Collaboration and Leveraged Resources

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

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

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Match Requirements	DAIL-SCSEP-20.9.4
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Match Requirements

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

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Maintenance of Files and Privacy Information	DAIL-SCSEP-20.9.5
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Maintenance of Files and Privacy Information

A sub-recipient shall:

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

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Documentation	DAIL-SCSEP-20.9.6
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Documentation

(1) Sub-recipients shall maintain documentation of all forms and documents used to determine a participant's :

- (a) Eligibility determinations
- (b) Income
- (c) Waiver of physical examinations by participants
- (d) Recertification
- (e) Community service assignment
- (f) Unsubsidized employment
- (g) Complaint procedures
- (h) Terminations and reasons for terminations
- (i) Records of grievances and outcomes
- (j) Records required for data validation
- (k) All documents required by the Department of Labor, DAIL, or the Sub-recipient to implement this project

(2) At a minimum, a participant file shall include:

- (a) Participant Form
- (b) Community Service Assignment Form
- (c) Exit Form
- (d) Unsubsidized Employment Form

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Data Collection and Reporting	DAIL-SCSEP-20.9.7
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Data Collection and Reporting

- (1) Detailed Case Notes consist of the case worker's own documentation of his or her activities.
- (2) Case notes can be based on information derived in person or by telephone. Every case note used to validate data must include the following three foundation elements along with the specific facts being documented:
 - (a) Case notes must include:
 - 1) The name of the person who is the source of the information,
 - 2) His or her phone number, and
 - 3) The person's organization and title or relationship to the participant, whichever is appropriate.
 - (b) Case notes must include the name or initials of the person making the note.
 - (c) Case notes must contain the date on which the information was obtained, and the date on which it was recorded, if different.
- (3) Case notes can be stored in any format, including hand-written notes, standardized forms, or electronic records.
- (4) Case notes need to provide sufficient information so that a reasonable person could make a determination as to specific events or decisions.
- (5) All official records require documentation, both fiscal and programmatic, must be retained for three (3) program years after the end of the program year in which the document was generated. For participants who enter unsubsidized employment after exiting the program, this means three (3) program years after the end of the program year in which all follow-up activity is ended.

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Political Patronage/ Political Activities	DAIL-SCSEP-20.9.8
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Political Patronage

Sub-recipients shall not:

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

Political Activities

Sub-recipients shall not:

- (1) Involve political activities in the overall operations of their projects.
- (2) Allowable and unallowable political activities including lobbying and the Hatch Act are covered in the Title V regulation Sec. 641.836.

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Nondiscrimination	DAIL-SCSEP-20.9.9
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Nondiscrimination

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

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Unionization	DAIL-SCSEP-20.9.10
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Unionization

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

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Nepotism	DAIL-SCSEP-20.9.11
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Nepotism

Sub-recipient's shall not :

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

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Lobbying	DAIL-SCSEP-20.9.12
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Lobbying

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

SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) Department Responsibilities	DAIL-SCSEP-20.10
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Department Responsibilities

The department shall:

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