

SUBJECT: Senior Community Service Employment Program

REFERENCE: Workforce Investment Act of 1998; Federal Register/Vol. 65, No. 156/Friday, August 11, 2000; Federal Register/Vol. 75, No. 169/Wednesday, September 1, 2010; Older Americans Act (OAA) of 1965, as amended; TEGL 11-06; TEGL 12-06; and TEGL 30-06.

BACKGROUND: The Senior Community Service Employment Program (SCSEP) is authorized by Title V of the Older Americans Act (OAA) Amendments of 2006 (Public Law 109-365). SCSEP (which is administered by the U.S. Department of Labor) is the only federally sponsored employment and training program targeted specifically to low income older individuals who want to enter or re-enter the workforce. The program offers participants community service assignments and training at public and non-profit agencies. The dual goals of the program are to promote useful opportunities in community service activities and to also move SCSEP participants into unsubsidized employment, where appropriate, so that they can achieve economic self-sufficiency. Since SCSEP is a required partner under the Workforce Investment Act, it is a part of the One-Stop Delivery System. This policy incorporates regulatory guidance in the final rule to implement changes in the Senior Community Service Employment Program resulting from the 2006 Amendments to Title V of the Older Americans Act.

POLICY: The U.S. Department of Labor enters into grant agreements with eligible state and national organizations. In Nebraska, the State Program Contact is:

Attention: Gary Richards
Nebraska State Unit on Aging
Department of Health and Human Services
State Office Building
301 Centennial Mall South
Lincoln, Nebraska 68509-5044
Phone: 402-471-4555
Fax: 402-471-4619
E-mail: Gary.Richards@nebraska.gov

Subgrantees for the Program in Nebraska are the Eastern Nebraska Office on Aging and Aging Partners. The National SCSEP sponsor operating within Nebraska is Experience Works (formerly named Green Thumb).

Eligibility Issues

Any unemployed person (at the time of application) who is at least 55 years old and who is a member of a family with an income that is not more than 125 percent of the family income levels prepared by the Department of Health and Human Services and approved by the Office of Management and Budget (poverty guidelines) is eligible to participate in the Senior Community Service Employment Program. A person with a disability may be treated as a "family of one" for income eligibility determination purposes at the option of the applicant. Unemployed 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. The Older Americans Act Amendments of 2006 specify that low income status is to be computed by counting the includable income received by the individual during the 12-month period ending on the date of SCSEP application or by counting the annualized income for the 6-month period ending on that date. Any income that is unemployment compensation, a benefit received under title XVI of the Social Security Act (42 U.S.C. 1381 *et seq.*), a payment made to or on behalf of veterans or former members of the Armed Forces under the laws administered by the Secretary of Veterans Affairs, or 25 percent of a benefit received under title II of the Social Security Act (42 U.S.C. 401 *et seq.*), must be excluded from SCSEP income eligibility determinations. In addition, the exclusion and inclusions to income as identified in TEGL 12-06 (and updates) shall be used for calculating income for purposes of SCSEP eligibility.

In selecting eligible individuals for SCSEP participation, priority must be given to individuals who have one or more of the following characteristics:

- (1) Are 65 years of age or older;
- (2) Have a disability;
- (3) Have limited English proficiency or low literacy skills;
- (4) Reside in a rural area;
- (5) Are veterans (or, in some cases, spouses of veterans) for purposes of § 2(a) of the Jobs for Veterans Act, 38 U.S.C. 4215(a) (as discussed below);
- (6) Have low employment prospects;
- (7) Have failed to find employment after using services provided through the One-Stop delivery system; or
- (8) Are homeless or are at risk for homelessness.

Section 2(a) of the Jobs for Veterans Act creates a priority for service for veterans (and, in some cases, spouses of veterans) who otherwise meet the program eligibility criteria for the SCSEP. 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.

Grantees and sub-recipients must apply these priorities in the following order:

- (1) Persons who qualify as a veteran or qualified spouse under § 2(a) of the Jobs for Veterans Act, 38 U.S.C. 4215(a), and who possess at least one of the other priority characteristics;
- (2) Persons who qualify as a veteran or qualified spouse under § 2(a) of the Jobs for Veterans Act, 38 U.S.C. 4215(a), who do not possess any other of the priority characteristics;
- (3) Persons who do not qualify as a veteran or qualified spouse under § 2(a) of the Jobs for Veterans Act (nonveterans), and who possess at least one of the other priority characteristics.

The Older Americans Act Amendments authorize Local Workforce Investment Boards to make the decision to deem SCSEP participants, either individually or as a group, as satisfying the requirements for receiving adult intensive and training services. The eligibility of SCSEP participants for intensive and training services is one of the issues that may be addressed in the Memorandum of Understanding between the Local Workforce Investment Board and the local SCSEP sponsors.

Grantees Provide these Services to SCSEP Participants

- Orientation to the Program including information on project goals and objectives, community service assignments, training opportunities, available supportive services, the availability of a free physical examination, participant rights and responsibilities, and permitted and prohibited political activities;
- Assessment of participants' work history, skills and interests, talents, physical capabilities, aptitudes, needs for supportive services, occupational preferences, training needs, potential for performing community service assignments, and potential for transition to unsubsidized employment (performed initially upon program entry, unless an assessment has already been performed under title I of WIA, with subsequent assessments made as necessary, but no less frequently than two times during a twelve month period);
- Development of an IEP that includes an appropriate employment goal and updating, as necessary, except that if an IEP has already been developed under title I of WIA, then the WIA IEP will satisfy the requirement for a SCSEP IEP;
- Placement of participants in appropriate community service activities in the community in which they reside, or in a nearby community;
- Providing or arranging for training identified in participants' IEPs and consistent with SCSEP's goal of unsubsidized employment;
- Assisting participants in obtaining needed supportive services identified in their IEPs;

- Providing participants with wages and benefits for time spent in the community service assignment, orientation, and training;
- Ensuring that participants have safe and healthy working conditions at their community service employment worksites;
- Assisting participants in obtaining unsubsidized employment, including providing or arranging for employment counseling in support of their IEPs;
- Providing appropriate services for participants, or referring participants to appropriate services, through the One-Stop Delivery System established under WIA; and
- Providing counseling on participants' progress in meeting the goals and objectives identified in their IEPs, and in meeting their supportive service needs.

Note: Grantees may not use SCSEP funds for job ready individuals who only need job search assistance or job referral services. Grantees may provide job search assistance and job club activities to participants who are enrolled in the SCSEP and are assigned to community service assignments.

Assessment

An assessment or Individual Employment Plan completed by the Senior Community Service Employment Program satisfies any condition for an assessment, service strategy, or IEP at the One-Stop and vice-versa. These reciprocal arrangements and the contents of the Individual Employment Plan completed through the SCSEP or WIA program should be negotiated in the MOU.

Intensive and Training Services

Senior Community Service Employment Program participants who have been assessed and for whom an Individual Employment Plan has been developed have received an intensive service according to WIA.

In order to enhance skill development related to the IEP, it may be necessary to provide training beyond the community service assignment to enable participants to meet their unsubsidized employment objectives. The SCSEP grantee/subgrantee, the host agency, the WIA program, or another One-Stop partner may provide training as appropriate and as negotiated in the MOU.

Memorandum of Understanding (MOU)

Some local areas may be served by multiple grantees, with State or national program sponsors, or projects funded under OAA Section 502(e) to place individuals in unsubsidized private sector employment. The OAA Amendments provide that multiple Senior Community Service Employment Program grantees in an area should coordinate their activities through the One-Stop delivery system. Under both WIA and the OAA, any grantee operating an SCSEP project in a local area must

negotiate a Memorandum of Understanding (MOU) with the Local Workforce Investment Board, which details their involvement in the One-Stop Delivery System. Generally speaking, the SCSEP grantees will work together to create a single umbrella MOU with the Local Workforce Investment Board.

Recruitment

Grantees and subgrantees must use the One-Stop Delivery System as one method in the recruitment and selection of eligible individuals to ensure that the maximum number of eligible individuals have an opportunity to participate in the project.

Referral

Senior Community Service Employment Program grantees may not enroll individuals who can be placed directly in unsubsidized employment. Such individuals should be referred to the One Stop Center for job placement assistance.

Supportive Services

Grantees may provide directly or arrange for supportive services that are necessary to enable an individual to successfully participate in a SCSEP project, including but not limited to payment of reasonable costs of transportation; health and medical services; special job-related or personal counseling; incidentals such as work shoes, badges, uniforms, eyeglasses, and tools; dependent care; housing, including temporary shelter; needs-related payments and follow-up services. To the extent practicable, the grantee/subgrantee should arrange for the payment of these expenses from other resources.

Wages individuals receive as SCSEP participants are not to be included in income eligibility determinations for federally subsidized housing and/or Food Stamps.

Use of Title V of the Older Americans Act Funds

The Workforce Investment Act creates a seamless service delivery system for individuals seeking workforce development services by linking the One-Stop partners in the One-Stop Delivery System. Although the overall effect is to provide universal access to core services, Senior Community Service Employment Program resources may only be used to provide services that are authorized and provided under the SCSEP to eligible individuals. At least 75 percent of SCSEP funds must be used to pay for wages and benefits for wages and benefits of participants as described in § 641.864(a). All SCSEP recipients, including Federal agencies (if there is no statutory exemption) must provide or ensure that at least 10 percent of the total cost of activities carried out under a SCSEP grant (non-Federal share of costs) consists of allowable costs paid for with non-Federal funds, except if the U.S. Department of Labor agrees to pay all of the costs of activities carried out under Section 502(e) or the costs of activities in an emergency or disaster project or a

project in an economically distressed area.

Costs of participating as a required partner in the One-Stop delivery system established in accordance with Section 134(c) of the Workforce Investment Act are allowable, provided that SCSEP services and funding are provided in accordance with the Memorandum of Understanding, and costs are determined in accordance with the applicable cost principles. Senior Community Service Employment Program grantees are required to follow all applicable rules under the Workforce Investment Act and its regulations.

Unsubsidized Employment

For those participants whose Individual Employment Plans include a goal of unsubsidized employment, grantees and sub-recipients are responsible for working with participants to ensure that the participants are receiving services and taking actions designed to help them achieve this goal. Grantees and sub-recipients must contact private and public employers directly or through the One-Stop delivery system to develop or identify suitable unsubsidized employment opportunities.

Workforce Investment Boards

As a One-Stop partner, at least one member representing SCSEP grantees must be on all Local Workforce Investment Boards.