

501.000	State Older Worker Community Service Employment Program	11-1-16
----------------	--	----------------

This policy is to establish and govern the administration and operations of the State Older Worker Community Service Employment Program and related funding.

501.010	Purpose	11-1-16
----------------	----------------	----------------

The Older Worker Community Service Employment Program was established in order to foster individual economic self-sufficiency and promote useful part-time employment opportunities in community service activities for economically needy ~~low-income~~ persons who are age 55 or older and who have poor employment prospects.

501.011	Scope	9-1-10
----------------	--------------	---------------

This policy applies to all grant recipients of the program and to any sub-grantee or contractor that receives program funds and/or participates in the program.

501.012	General Authority	9-1-10
----------------	--------------------------	---------------

Older Worker Community Service Employment Act 1031.

Older Americans Act of 1965 (As Amended).

501.013	Definitions	11-1-16
----------------	--------------------	----------------

Act - The Older Worker Community Service Employment Act (Act 1031 of 1985).

Eligible Individual or Participant - An individual who is age 55 or older. Priority will be given to individuals with the greatest economic need based on criteria included in Section 501.050, Subsection B. ~~and whose household income is within the established income eligibility standards.~~

Family - Two or more persons related by blood, marriage or decree of court, who are living together at a single residence including:

A. Husband, wife and dependent children;

- C. Ensuring that the program is in compliance with all Federal, State and local laws and regulations related to employment practices, civil rights, and non-discrimination.

501.032 Cooperative Relationships

9-1-10

- A. Each AAA shall, to the maximum extent feasible, coordinate and maintain cooperative relationships and working linkages with employment and training agencies, e.g., local workforce centers and sponsors of Title V of the Older Americans Act.
- B. Further, each AAA is encouraged to cooperate with other agencies whose cooperation would enhance the program's success.

501.033 Recruitment and Selection of Eligible Individuals

9-1-10

Each AAA shall develop and utilize a plan for recruitment and selection of eligible participants which will:

- A. Utilize methods of recruitment and selection which will ensure that the maximum number of eligible individuals will have an opportunity to participate in the program.
- B. Result in an increase in employment opportunities for eligible individuals whose education, job skills, experiences and other limiting factors reduce the individual likelihood of obtaining suitable public or private paid employment.
- C. Ensure that, to the extent feasible, the program will serve the needs of the eligible minority individuals in proportion to their number in the PSA.

501.040 Eligibility for Participation in the Program

11-1-16

- A. The eligibility criteria set forth in this subsection apply to all program applicants and participants. Each AAA is responsible for ensuring and documenting the eligibility of each participant.
- B. To be eligible for initial enrollment, re-enrollment or certification for continued enrollment, each individual shall meet the criteria for age and place of residence. ~~and income.~~
 - 1. Age - Each individual must be no less than 55 years of age. No person shall be determined ineligible solely because of advanced age, and no upper age limit shall be imposed for continued participation.

2. Place of Residence - Each individual must be a resident of the State of Arkansas.
3. ~~Income—The income of a household, including a family of one, shall not exceed the income eligibility standards defined in Section 501.041 and shall apply to individuals seeking initial participation, seeking renewed participation after termination from the program, or seeking certification for continued participation in the program.~~

501.041 ~~Income Eligibility Standard~~ ~~9-1-10~~

~~The standard for determining income eligibility for program applicants and recertification of participant eligibility is the total adjusted household income. This total adjusted household income must be less than 200% of current SSI payments.~~

501.042 ~~Determining Income Eligibility~~ ~~9-1-10~~

~~The following is a list of income sources that must be considered when computing income for participants or potential participants.~~

A. ~~Income to be included:~~

1. ~~Salaries and wages (before deductions).~~
2. ~~Net income from self-employment.~~
3. ~~Title V, or other job training employment.~~
4. ~~Net income from business, farm or rental property.~~
5. ~~Seventy-five percent Social Security benefits and Old Age Survivors Insurance (gross amount).~~
6. ~~Any winnings in excess of \$3,000.~~
7. ~~Regular support from an absent family member.~~
8. ~~Income from insurance policy annuities.~~
9. ~~Pensions or retirement.~~

B. ~~Income to be Excluded:~~

1. ~~Non-cash income, e.g., SNAP (food stamps), food, housing.~~
2. ~~Payments for certain volunteers, e.g., RSVP.~~
3. ~~Public assistance payments.~~
4. ~~State Older Worker wages of other household members.~~
5. ~~Capital gains and asset draw down.~~
6. ~~Unemployment benefits.~~
7. ~~One-time unearned income.~~
8. ~~Child support payments.~~
9. ~~\$500 of "included" income when applying for re-enrollment due to illness or following unsubsidized placement.~~
10. ~~Certain types of income for veterans.~~
11. ~~Payments made for classroom training or grants.~~
12. ~~Inheritances and sale of personal property.~~
13. ~~Interest and dividends up to \$3,000.~~

501.043 Eligibility Determinations of the AAAs

11-1-16

A. AAAs shall obtain the information necessary for proper determination of eligibility for each individual. Documentation of the initial eligibility determination, re-eligibility determination and continued eligibility determination should be kept in each participant's file (i.e., copies of proof of age and proof of residence, ~~proof of income~~, etc.)

1. The information shall be obtained primarily through personal interviews and shall be recorded on an intake or application form. The information shall be obtained in the beginning phase of the orientation and assessment to the program.
2. The information shall be verified by the dated signature of the individual on the intake or application form. AAAs are responsible for assuring that the

required personal information reported by individuals appear reasonably reliable and consistent.

- B. Each determination of eligibility shall be recorded on the AAA's intake or application form. The participant's name, and the name, title and signature of the AAA official who made the determination and the grounds for any unfavorable determination shall also be noted.
- C. Each AAA shall recertify the proof of residence ~~income~~ of each participant at least once during each SFY. A participant found to be ineligible for continued participation in the program because of residency ~~income~~ shall be given immediate written notification that their participation in the program will be terminated 30 days after the notice. AAAs shall be responsible for ensuring that ineligible participants are terminated at the end of the 30 day period.
- D. If at any time an AAA discovers that an individual was incorrectly determined to be eligible as a direct result of false information provided by that individual, the individual's participation shall be terminated immediately and the participant shall be notified in writing.
- E. If at any time an AAA determines that an individual was incorrectly determined to be eligible through no fault of the individual, the AAA shall give the participant immediate written notice that their participation will be terminated 30 days after the notice. The AAAs shall be responsible for ensuring that ineligible participants are terminated at the end of the 30-day period.
- F. When an AAA makes an unfavorable determination on eligibility or continued eligibility, the AAA shall explain, in writing, to the applicant or participant the reason(s) for the determination. The AAA shall inform each individual affected by an unfavorable determination that the determination may be appealed pursuant to the AAA's appeals process.
- G. When an AAA makes a determination of ineligibility pursuant to Items C and E above, the AAA should ensure that, to the extent feasible, the individual is referred to other sources of assistance, such as potential employment training programs, or other agencies which may be capable of assisting the individual.

501.050 Employment Priorities for Eligible Individuals

11-1-16

- A. AAAs shall develop and utilize policies and procedures related to the actual employment of eligible individuals, including criteria for prioritization and selection of eligible individuals, and the use of any waiting list for actual

participation (employment) due to limitations in financial resources and/or available employment positions.

- B. In selecting eligible individuals for participation (employment), the AAAs will strive to ~~shall~~ give priority to those most in need. Criteria for determining the most economically needy individual may include ~~the extent to which the individual's income is below the maximum level of the income eligibility standard,~~ the amount of financial assistance available to the individual from other sources, and the urgency of the individual's immediate economic needs, including but not limited to income for subsistence, housing and medical expenses.

501.051 Duration of Participation

9-1-10

- A. No time limitation on participation may be established or used within the program. This requirement does not apply to time limited employment assignments or to positions and/or duties that are appropriately discontinued by the AAAs or host agency, but rather to any maximum time period that an eligible participant may continue to be employed or be considered for employment.
- B. The provisions of Item A above do not prohibit the AAAs from terminating an individual's participation in the program for cause as provided in Section 501.053, Subsection M.

501.052 Orientation and Assessment of Eligible Individuals

9-1-10

- A. Each AAA/Host Agency shall, when practicable and preferably during the eligibility determination phase, provide eligible individuals a formal orientation to the project. The orientation shall provide the individual with information related to:
1. Older Worker Community Service Employment Program;
 2. Available community service employment assignments;
 3. Available supportive services;
 4. The rights and responsibilities of the participant;
 5. Available training through the program;
 6. Allowable and prohibited political activities;

501.053 Community Service Employment**11-1-16**

- A. Participants who are employed and paid wages from funds under the Act shall be considered AAA employees. Participants who are employed in any program funded under the Act are not State or Federal employees.
- B. As soon as possible after the completion of eligibility determination and orientation, AAAs shall assign the individual to useful part-time community service employment. A community service employment assignment may be:
 - 1. Created and supervised by the AAAs or
 - 2. Developed by or in consultation with a qualified host agency and supervised by the host agency.
- C. Hours of Community Service Employment
 - 1. Employment provided by an AAA's program under the Act shall not exceed 1,300 hours, including paid holidays and sick leave, during the SFY.
 - 2. Each participant shall be offered an average of no fewer than 20 hours of paid employment per week, unless otherwise agreed to in writing between the participant and the AAA.
- D. Participants shall be employed at worksites in or near the communities where they live.
- E. Work Assignments
 - 1. Participants may be employed and/or receive employment assignments in host agencies, projects or facilities that involve community services as provided in the Act.
 - 2. AAAs shall, to the extent feasible, give eligible individuals first consideration for work assignments involving the operation of the programs consistent with the individual's stated preferences and based on their skills and aptitudes.
 - 3. The AAAs shall give emphasis to work assignments that involve activities designed to directly or indirectly benefit the elderly and particularly the economically needy ~~low-income~~ elderly.
 - 4. Participants shall not be placed in work assignments involving activities