

ARKANSAS REGISTER

Transmittal Sheet



Sharon Priest
Secretary of State
State Capitol Rm. 01
Little Rock, Arkansas 72201-1094

For Office Use Only: Effective Date 7/1/99 Code Number 0/6.20.99011

Name of Agency Department of Human Services

Department Division of County Operations

Contact Person Roy D. Kindle, Jr. Phone 682-8251

Statutory Authority for Promulgating Rules P.L. 104-193 The Personal Responsibility and Work Opportunity Reconciliation Act 1996

FSC 99-12

Date

Intended Effective Date

Legal Notice Published 5-22-99

☐ Emergency

Final Date for Public Comment 6-20-99

☒ 10 Days After Filing

Filed With Legislative Council 5-21-99

☐ Other

Reviewed by Legislative Council

Adopted by State Agency July 1, 1999

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
In Compliance with Act 434 of 1967 As Amended.

Signature

682-8375

Phone Number

Director

Title

5.20.99

Date

FILED
REGISTER DIV.
JUL 21 PM 4:11

**DEPARTMENT OF HUMAN SERVICES
DIVISION OF COUNTY OPERATIONS
AMENDING LEGISLATIVE REGULATION
ARKANSAS LEGISLATIVE COUNCIL**

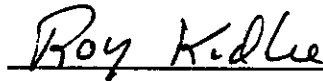
NUMBER AND TITLE: FSC 99-12, Employment and Training (E & T) Program

PROPOSED EFFECTIVE DATE: July 1, 1999

STATUTORY AUTHORITY: The Food Stamp Act of 1977 as amended by
The Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

NECESSITY AND FUNCTION: This policy will provide direction to Pulaski
North (60-2) for the purpose of operating the E & T Program.

PAGES FILED: A total of 22 pages were filed.



Roy D. Kindle, Jr.
Assistant Director
Office of Program Planning and Development

PROMULGATION DATE: July 1, 1999

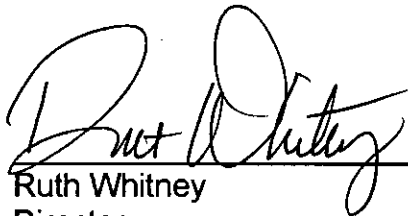
CONTACT PERSON: Roy D. Kindle, Jr.
Assistant Director
Office of Program Planning and Development
P.O. Box 1437, Slot 1220
Little Rock, AR 72203-1437

(501) 682-8251

NOTICE OF RULE MAKING

Pursuant to the Food Stamp Act of 1977, as amended by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, this policy will provide direction to Pulaski North (60-2) for the purpose of operating the Employment and Training Program.

Copies of the revised policy may be obtained by writing to the Division of County Operations, Attention: Food Stamp Policy Section, P. O. Box 1437, Slot 1241, Little Rock, AR 72203-1437. All comments must be submitted within 30 days of the date of publication of this notice. If you need any material in a different format, such as large print, contact our Americans with Disabilities Act Coordinator at 682-8920 (Voice) or 682-8933 (TDD). The Arkansas Department of Human Services is in compliance with Titles VI and VII of the Civil Rights Act and operates, manages and delivers services without regard to political affiliation, religion, disability, age, veteran status, sex, race, color or national origin.

A handwritten signature in black ink, appearing to read "Ruth Whitney", is written over a horizontal line.

Ruth Whitney
Director
Division of County Operations

Will this emergency rule be promulgated under the regular provisions of the Administrative Procedure Act? ☒ YES ☐ NO

5. Is this a new rule? _____ YES XX NO

Does this repeal an existing rule? _____ YES XX NO

Is this an amendment to an existing rule? XX YES _____ NO

Is this an amendment to an existing rule? If yes, please attach a markup showing the changes in the existing rule and a summary of the substantive changes.

6. What state law grants the authority for this proposed rule? If codified, please give Arkansas Code citation. N/A

7. What is the purpose of this proposed rule? Why is it necessary?

To provide direction to the Pulaski North County Office 60-2 for the purpose of operating the Employment and Training Program.

To comply with the Food Stamp Act of 1977, as amended by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

8. Will a public hearing be held on this proposed rule? _____ YES XX NO

9. When does the public comment period end? June 20, 1999

10. What is the proposed effective date of this proposed rule? July 01, 1999

11. Do you expect this rule to be controversial? _____ YES XX NO
If yes, please explain.

12. Please give the names of persons, groups, or organizations which you expect to comment on these rules. Please provide their position (for or against) if known.

NAME	GROUP/ORGANIZATION	ADDRESS
David Manley Attorney at Law	Legal Services of Arkansas	209 W. Capitol Suite 36 Little Rock, AR 72201

PLEASE ANSWER ALL QUESTIONS COMPLETELY.

99 JUN 21 PM 4:11

DEPARTMENT HUMAN SERVICES

DIVISION COUNTY OPERATION

UNION COUNTY
C/O ARL REGISTER
STATE OF ARKANSAS

PERSON COMPLETING THIS STATEMENT Charles H. Robinson, II BY _____

TELEPHONE NO. 682-8797 FAX NO. 682-1469

FINANCIAL IMPACT STATEMENT

To comply with Act 884 of 1995, please complete the following Financial Impact Statement and file with the questionnaire and proposed rules.

SHORT TITLE OF THIS RULE FSC 99-12

1. Does this proposed, amended, or repealed rule or regulation have a financial impact? YES XX NO
2. If you believe that the development of a financial impact statement is so speculative as to be cost prohibited, please explain.
The Employment and Training Program is 100% Federally Funded. The Federal Funds which are allocated to the E&T program have decreased due to the E&T program being limited to one (1) County.
3. If the purpose of this rule or regulation is to implement a federal rule or regulation, please give the incremental cost for implementing the regulation.

1998-99 Fiscal Year

General Revenue	\$	<u>0</u>
Federal Funds	\$	<u>0</u>
Cash Funds	\$	<u>0</u>
Special Revenue	\$	<u>0</u>
Other	\$	<u>0</u>
Total	\$	<u>0</u>

1999-2000 Fiscal Year

General Revenue	\$	<u>0</u>
Federal Funds	\$	<u>0</u>
Cash Funds	\$	<u>0</u>
Special Revenue	\$	<u>0</u>
Other	\$	<u>0</u>
Total	\$	<u>0</u>

4. What is the total estimated cost by fiscal year to any party subject to the proposed, amended, or repealed rule or regulation?

1998-99 Fiscal Year \$ 0 1999-2000 Fiscal Year \$ 0

5. What is the total estimated cost by fiscal year to the agency to implement this regulation?

1998-99 Fiscal Year \$ 0 1999-2000 Fiscal Year \$ 0

MANUAL TRANSMITTAL

Arkansas Department of Human Services

Division of County Operations



☒ Policy ☐ Form ☐ Directive Issuance Number 99-12

Food Stamp Certification Manual

Issuance Date 7/1/99

From: Ruth Whitney
Director

Expiration Date Until
Superseded

Subj: Food Stamp Employment And Training Program

<u>Pages to be Deleted</u>	<u>Dated</u>	<u>Pages to be Added</u>	<u>Dated</u>
FSC 3600, Entire Section	varied	FSC 3600 - 3642	7/1/99
PD FSC 99-2	1/1/99		

SUMMARY OF CHANGES

FSC-3600 - 3642

The following policy revisions and updates provides instructions to the Pulaski North Office 60-2 for the purpose of operating the Employment and Training Program.

Specific changes are listed below:

- FSC 3600 - FOOD STAMP E&T PROGRAM
- FSC 3601 - REGISTRATION
- FSC 3602 - REFERRAL
- FSC 3603 - CHANGES AFTER REFERRAL
- FSC 3604 - NON-COMPLIANCE WITH E&T PROGRAM REQUIREMENT
- FSC 3605 - CLOSE/TERMINATION
- FSC 3606 - E&T PROGRAM SAVINGS
- FSC 3607 - PROCEDURES TO BE SET BY THE COUNTY
- FSC 3608 - EXEMPTIONS
- FSC 3609 - WORK REGISTRATION
- FSC 3610 - INDIVIDUAL EXEMPTIONS
- FSC 3611 - SPECIAL SITUATION/HOME SCHOOLING
- FSC 3612 - ASSESSMENTS
- FSC 3613 - SCHEDULING ASSESSMENT
- FSC 3614 - RE-SCHEDULING ASSESSMENT
- FSC 3615 - FAILURE TO ATTEND ASSESSMENT
- FSC 3616 - ASSESSMENT PROCESS
- FSC 3617 - CONDUCTING THE ASSESSMENT
- FSC 3618 - CONCILIATION PROCESS
- FSC 3619 - IMPOSING A SANCTION

FSC 3620 – DEVELOPING THE EMPLOYABILITY PLAN
FSC 3621 – COMPLETING THE EMPLOYABILITY PLAN
FSC 3622 – EMPLOYABILITY PLAN UPDATE
FSC 3623 – WHEN AN EMPLOYABILITY PLAN WILL BE UPDATED
FSC 3624 – EMPLOYMENT AND TRAINING (E&T) COMPONENTS
FSC 3625 – INDEPENDENT JOB SEARCH
FSC 3626 – JOB CLUB
FSC 3627 – GED/HIGH SCHOOL COMPLETION
FSC 3628 – ENGLISH AS A SECOND LANGUAGE
FSC 3629 – JTPA REFERRAL
FSC 3630 – COMPONENT ASSIGNMENT PROCESS
FSC 3631 – COMPONENT RE-ASSIGNMENT
FSC 3632 – COUNTING COMPONENT PARTICIPATION FOR E&T PARTICIPANTS
FSC 3633 – REIMBURSEMENT/PAYMENTS
FSC 3634 – MAXIMUM PAYMENT LIMITS
FSC 3635 – CALCULATING TRANSPORTATION COST
FSC 3636 – PAYMENTS TO PARTICIPANTS WHO PROVIDE TRANSPORTATION
FSC 3637 – PAYMENTS/REIMBURSEMENTS TO BUS AND/OR TAXI SERVICE
FSC 3638 – FREQUENCY OF PAYMENT FOR PARTICIPANTS
FSC 3639 – FORM DCO-1430, REIMBURSEMENT CLAIM FORM
FSC 3640 – TIMEFRAME FOR SUBMITTING PARTICIPANT REQUESTS FOR
MONTHLY REIMBURSEMENT
FSC 3641 – GOOD CAUSE DETERMINATION FOR DCO-1430 RECEIVED AFTER DUE
DATE
FSC 3642 – WORKER RESPONSIBILITY

Policy FSC 3550 relating to RTW waivers shall remain unchanged but will be printed if necessary when this section is printed (FSC 3600 Food Stamp E&T Program.)

INQUIRIES TO: Charles H. Robinson, II, Food Stamp Section, (501) 682-8797

3600 Food Stamp E&T Programs

The Food Stamp Act requires all states to operate an Employment and Training (E&T) Program for the purpose of requiring all able-bodied, non-exempt Food Stamp recipients to meet certain work-related requirements. The Employment and Training Program is designed to assist eligible recipients in obtaining skills necessary in order to become self-sufficient. In the designated county office of Pulaski North (Co. 60-2) Food Stamp benefit recipients subject to the work registration requirements are provided services through the Food Stamp Employment and Training (E&T) Program which is operated by the Division of County Operations (DCO). Program services are available to all non-exempt Food Stamp recipients. Food Stamp recipients deemed exempt are not allowed to volunteer.

3601 Registration

Registration for Food Stamp recipients is completed at initial certification and at each recertification. The signing of the Food Stamp application automatically registers all household members subject to the requirement. Registration also will occur at the time of a reported change or recertification when a member of an active case loses an exemption.

3602 Referral

The E&T Program Referral (DCO-205) will be used to refer non-exempt household members to the E&T Program at application and at recertification. A copy of the DCO-205 will be given to the household to serve as the registrant's "notice" and to explain to the registrant the rights and responsibilities of each E&T Program participant and the consequences should the registrant fail to comply with an E&T Program requirement.

3603 Changes After Referral

After a registrant is referred to the E&T Program, changes in the registrant's status may occur. The following changes may affect either or both the E&T case and the Food Stamp case:

- Changes in employment status;
- Changes in work registration exemption status; and
- Change of address.

If one worker handles both the E&T case and the Food Stamp case, this worker must insure reported changes are reflected in both cases. Any changes reported outside the quarterly reporting process must be acted on within 10 days of the date the change was reported to the county office. Changes reported through the quarterly report process must be reflected in the first month of the new report period.

When there are two different workers handling the food stamp and the E&T case, whichever worker is notified of the change(s) must report the change to the other worker. Additionally, if the food stamp case closes for any reason except the expiration of the certification period, the food stamp worker must report the case closure to the E&T worker. This includes automatic closures such as, but not limited to, closure due to the household's failure to return the quarterly report. All changes must be reported to the E&T worker within 10 days of the date the food stamp worker becomes aware of the change. (All changes reported to the E&T worker must be reported to the food stamp worker within 10 days of the date the E&T worker became aware of the change).

3604 Non-Compliance With E&T Program Requirements

Any E&T participant who fails to keep a scheduled appointment, refuses to accept or perform an E&T assignment, refuses to accept employment without good cause as defined in FSC 3411, or otherwise demonstrates non-cooperation with the E&T program requirements will be subject sanction as explained in FSC 3410. For information on imposing sanctions on food stamp benefit recipients who fail to comply with an E&T program requirement see FSC 3412 - 3441.

3605 Close/Termination

A food stamp benefit recipient will no longer be served in the E&T program when the food stamp case closes or when the recipient becomes exempt from the work registration requirements as explained in FSC 3200 - 3290. The E&T case closes automatically on the last day of the certification period indicated on the E&T program referral (DCO-205) unless the household is recertified and participation in the E&T program is continued. If an E&T program participant becomes exempt from the work registration requirements or goes to work during the certification period, the closure becomes effective the date the E&T worker becomes aware of the change. If two different workers handle the food stamp case and the E&T case, the effective date of the change in the E&T status is the date the food stamp worker notifies the E&T worker of the change.

3606 E&T Program Savings

E&T Program savings will be reported when a household's food stamp benefits are reduced because:

- A household member went to work
- A household member failed to verify earned income and the food stamp case closed as a result; or
- A household member was sanctioned as a result of noncompliance with the E&T Program.

To calculate savings, the worker must complete the following steps:

1. Determine what the household's monthly food stamp benefit amount would have been if the action had not been taken i.e., the household member had not gone to work or been sanctioned or the case had not been closed.
2. Subtract the new monthly food stamp benefit amount from the old food stamp benefit amount as calculated in Step 1. above.
3. Report the difference as monthly savings.

3607

Procedures to be Set by the County Office

The county office in which the E&T Program operates must make certain decisions and set procedures to manage the Program.

Decisions include:

- Which unit or workers will work with E&T Program participants.
- How to maintain E&T cases – e.g., as part of the food stamp case or as a separate record.
- Who will send advance notices of adverse action to the household when an individual household member fails to comply with an E&T Program requirement.
- If both an E&T case record and a food stamp case record are maintained, how to insure that copies of applicable documents appear in both records.
- Who will be responsible for calculating and reporting E&T Program savings.

Procedures must be established to insure that:

- Reported changes are reflected in both the E&T Program and the Food Stamp Program.
- All participants comply with all E&T Program requirements.
- Any individual who refuses or fails to comply with an E&T Program requirement is sanctioned in the Food Stamp Program.

3608

Exemptions

15% ABAWD Exemption

The Balanced Budget Act permits the agency to exempt each month from the Food Stamp Act of its work requirement population up to 15% of its ABAWD population that is in danger of losing eligibility for the Food Stamp Program. Each county Office will capture the required information as it relates to ABAWD's who are exempt under the State Agency's 15% exemption allowance.

This information shall be submitted on a monthly basis by the 15th of the month following the reported month to Research And Statistics, Slot 3420 or FAX to (501)682-6201. If no such data is available to the local office, the local office shall submit a monthly report indicating zero in the appropriate space.

3609 Work Registration Exemptions

The designated worker will determine the work registration exemption prior to a referral. A person included in a food stamp household may be exempt for any one of the reasons listed below when the reason for exemption is verified. Each member of the household will have the work registration exemption criteria applied separately.

When more than one of the exemptions apply to each individual, only the exemption appearing first in the following list which applies to the individual will be used by the designated worker.

Reasons for exemptions are:

- Age. A person who is younger than 16 years of age or a person 60 years of age or older.
- A child age 16 or 17 years of age and living with a parent or attending a school or training program on at least a half-time basis.
- Disabled. A person who is physically or mentally unfit for employment. This includes individuals receiving services through Arkansas Rehabilitative Services; or individuals receiving Worker's Compensation or other "sick pay" type benefits. If the individual is not receiving disability benefits, the E&T worker will determine if the member's disability is obvious or if verification is required. If the individual is a veteran receiving less than 100% disability benefits with no obvious disability, verification will be required. When the disability is not obvious or an obvious disability is questionable, the household will be asked to furnish verification. Acceptable verification includes but is not limited to a statement from a physician or licensed, certified psychologist; a decision by the Medical Review Team, or written evidence that the individual receives services through Rehabilitative Services.
- Care of a child. A parent or other household member who is responsible for the care of a dependent child under age six or an incapacitated person.
- Receipt of unemployment benefits. A person who is in receipt of or who has applied for unemployment benefits.

- Addicts and Alcoholics. Household members currently participating in a drug addiction or alcoholic treatment and rehabilitative program, either on a resident or non-resident basis.
- Employed Persons and Self-Employed Persons. Household members who are employed or self employed and either working a minimum of 30 hours weekly or receiving weekly earnings equal to the federal minimum wage multiplied by 30 are exempt. Persons claiming diverted wages in lieu of cash are covered under this exemption.
- Student. Students age 18 years of age or older who are enrolled at least half-time in a high school are exempt from work registration. If a student is enrolled in an institution or post secondary education, and the student is eligible to participate in the Program (as determined by the E&T worker), the student is exempt from work registration. The exemption continues to apply through periods when school is recessed, but is lost when the student graduates, drops out, is expelled or otherwise terminates enrollment.
- County of Residence. A person who resides anywhere in AR except Northern Pulaski county (60-2).

3610 Individual Exemptions

The designated worker is responsible for granting individual exemptions to E&T participants at assessment and any other time it is deemed appropriate. When an individual exemption is granted, it is not necessary to complete an assessment. Once granted, participants are not required to participate in E&T activities. Participants will be exempt for the length of the certification period, or upon expiration of the doctor's statement, whichever comes first.

The following exemption may be granted to an E&T participant on an individual, case-by-case basis by the designated worker:

- Lack of Child Care. When adequate arrangements for child care cannot be made in order to allow participation and all available avenues have been explored; or participant lives in a remote area where child care services are not available and cannot be arranged.
- Lack of Transportation. Lives in a remote area and public transportation is not available; does not own or have access to an automobile; owns an automobile that is in need of repair.
- Pregnancy. The participant is in at least her 6th month of pregnancy. Medical verification is required prior to granting this exemption.

A participant's individual exemption status will be re-evaluated at recertification with the exception of temporary medical disability exemptions, then re-evaluation will occur at recertification, or upon expiration of the doctor's statement, whichever comes first. To determine if the exemption is still valid, the worker will, after completion of the DCO-205:

- 1) Conduct an assessment/employability plan if not previously conducted (see FSC 3612 for scheduling assessment).
- 2) Complete an employability update if an assessment was conducted prior to exemption. The case narrative will be documented to show the type of contact. If the exemption is still valid, the participant will remain exempt for the new certification period (or the length of time specified on the doctor's statement if exemption is related to a disability).
- 3) If the exemption is no longer valid and the participant has overcome the barrier (s), the worker will document the case narrative and make an assignment to an appropriate component.

3611 Special Situation - Home Schooling

Home schooling is an exempt category where by if an E&T registrant is home schooling his/her child/children, and participating in the E&T Program would interfere with the hours he/she is teaching, the individual would not meet the criteria to be exempt from work registration. Also the individual would not meet the Agency's criteria to be granted an individual E&T exemption. In such a situation, participation would not be required and the case would be handled in the following manner:

- When the worker becomes aware that the individual is home schooling and determines that participation in the E&T Program will interfere with the home schooling activities, the worker will notify the individual that he/she will not be required to participate as long as he/she is home schooling. The worker will review the case at the start of each school year and contact the individual to determine if he/she is still home schooling. If this is the situation, the contact will be documented and participation will not be required. If the individual is no longer home schooling, participation will be required and appropriate appointment scheduling will occur.

3612 Assessments

This section 3612-3623 will provide information relative to scheduling and conducting an assessment. Workers will utilize established guidelines and procedures for the following:

- Scheduling Assessment;
- Re-scheduling Assessment;
- Failure to Attend Assessment;
- Assessment Process;

- Conducting Assessment;
- Developing the Employability Plan; and
- Completing the Employability Plan.

The assessment process must be completed within 20 working days of the date the referral (DCO-205) is processed by the worker.

3613 Scheduling Assessment

Individuals referred to the E&T Program will be scheduled for an assessment by the worker no later than five working days after certification (see form DCO-205). The appointment notice will be sent advising the individual of the following information: time, date, and location of the assessment; and steps to follow if unable to keep the scheduled appointment.

3614 Re-scheduling Assessment

If the client contacts the worker prior to assessment and is unable to attend the session, the worker will re-schedule the assessment activity (no more than two sessions after the initial session). The appointment notice will be mailed no later than five working days after the client notifies the worker and requests a new appointment time. The case narrative will be documented accordingly.

3615 Failure to Attend Assessment

If the client fails to attend the scheduled assessment, and does not contact the worker, a second appointment will not be given. The worker will begin the conciliation process using the guidelines as listed in FSC-3618. The case narrative will be documented accordingly.

3616 Assessment Process

The objective of the assessment is to present an overview of the Employment and Training Program, gather pertinent information from the client, and identify barriers which may impact the client's ability to become self-sufficient through employment.

3617 Conducting the Assessment

The assessment process, including employability planning, will be conducted on an individual or group basis.

During assessment, participants will be informed of their rights and responsibilities, the availability of transportation, child care and supportive services reimbursements, Employment and Training responsibilities, conciliation, sanction, and hearing procedures.

The worker will thoroughly explain the reimbursement procedures to the participants. This explanation will include reimbursement rates, provider information, method of payment, and frequency of payment. The worker will refer to FSC-3620 for information relative to procedures which must be completed in order to authorize services to participants.

The participant will be provided a *Skills, Employability, and Intake Assessment Background Information* (DCO-1402) to be completed. The worker will review the form with the participant to:

- 1) Ensure that the participant has fully completed the form;
- 2) Discuss the contents of information with the participant;
- 3) Evaluate the information contained on the form to identify barriers that would impact participation in component activities.

3618 Conciliation Process

The purpose of the conciliation process is to determine the reason(s) the participant failed or refused to comply with E&T requirements, and to provide an opportunity for resolution of the problem so that the individual may participate in E&T and work toward self-sufficiency rather than be sanctioned.

When the E&T worker determines that non-compliance in meeting E&T requirements has occurred, a conciliation will be conducted. The entire conciliation process will last no longer than 20 calendar days and will begin the day following the date the worker first learned of the non-compliance by the participant. Conciliation may be conducted either by a telephone or face-to-face interview and must be conducted within ten (10) calendar days of the date of discovering the non-compliance.

During the conciliation session, the E&T worker will inform the non-complying participant of the following:

- 1) His/her rights and responsibilities under the Program.
- 2) The act of non-compliance committed.
- 3) The E&T requirement to be completed in order to achieve compliance.
- 4) Date to be completed.
- 5) That continued non-cooperation will result in a sanction.

If the participant complies with the E&T requirement during the conciliation session, the E&T worker will end the session on the day that compliance is achieved. If the E&T worker determines during the session that the participant had good cause for not cooperating, no conciliation will be considered as held. If the participant does not comply during the conciliation session, the E&T worker will act the same day of receipt of this information and request sanction.

3619 Imposing a Sanction

The designated worker will be responsible for preparing and sending the Notice of Adverse Action (NOAA) to the household using form DCO-1412, advising of proposed sanction.

After receipt of form DCO-1412, the participant may contact the E&T worker seeking to prevent a sanction. The E&T worker will determine what action(s) must be taken during the ten days and inform the participant of same. Depending on the situation, compliance may be demonstrated by:

- 1) Complying with the same requirement with which the participant originally failed to comply, or
- 2) Complying with another E&T requirement as assigned by the E&T worker, who must ensure that the assignment for compliance can be completed within the ten day timeframe.

If the participant contacts the worker during the ten day notice period but is unable to comply due to circumstance beyond his/her control (i.e. no component available), the E&T worker will act on this information and no sanction will be imposed. However, if the participant makes no contact during the ten day notice period, or contacts the worker and then fails to comply, the sanction will be imposed.

If a participant wishes to comply with an E&T Program requirement after a sanction has been imposed, the following procedure will be used:

- 1) Either the participant or another responsible household member must contact the E&T worker and state that the participant wishes to comply with any applicable E&T Program requirement;
- 2) No later than the end of the next work day, the E&T worker must accomplish appropriate referral information if appropriate.
- 3) Within ten (10) calendar days the E&T worker must interview the participant and provide information relative to accomplishing compliance.
- 4) Compliance may be accomplished during the ten day period by, complying with the same requirement which the participant originally failed to comply, or complying with another component as assigned by the E&T worker. Verbal commitment is not sufficient to satisfy non-compliance.

If the participant complies with E&T requirements, the sanction will end the same day the compliance is met. If the participant again fails to comply the sanction will remain in place from the original Notice of Adverse Action.

3620 Developing the Employability Plan

During the assessment process, an employability plan will be developed. Refer to FSC-3600 for detailed information on completion of the employability plan.

The employability planning portion of the assessment process may be conducted on an individual or group basis.

3621 Completing the Employability Plan

The following information will be included during the completion of the plan.

- A specific employment goal;
- The participant's skill level and aptitudes;
- Local employment opportunities
- Available program resources
- A description of the services to be provided by Employment & Training (E&T), including transportation, child care and other supportive services.
- The participant's supportive service needs;
- A description of the E&T activities to be undertaken by the participant to achieve the employment goal; and
- A description of any other needs of the family that might be met by E&T referrals.

The worker will refer to FSC-3600 for information relative to activities that may be included on the employability plan for participants performing job search activities. Upon completion of the form, the worker will file the original in the case record and give a copy to the participant

3622 Employability Plan Update

This section of policy will provide workers with information relative to:

- Employability Plan Updates; and
- When an Employability Plan will be Updated

The employability plan may be updated in person, by mail or by telephone. The case narrative will be documented with the following information to be included: Date and type of contact; any changes in participant's situation that affect participation; and decision made regarding participation. If the participant is not present to sign the employability plan, a copy will be mailed to the participant for signature and return.

3623 When an Employability Plan will be Updated

Situations when an Employability Plan may be updated include, but are not limited to, when a participant:

- Has been unsuccessful in completing a component assignment;
- Has changes in his/her situation that affect component activities;
or
- The participant has had an active case and has been assessed within the last twelve months. The update is then complete in lieu of assessment.

In situations such as those listed above, the employability plan update will be completed within 10 working days of the E&T worker learning of the situation which caused the need for the update.

3624 Employment and Training (E&T) Components

Upon completion of the assessment process and using information obtained, the worker will assign the participant to one of the following components:

- 1) Independent Job Search
- 2) Job Club
- 3) GED/High School Completion
- 4) English as a Second Language
- 5) JTPA Referral

E&T participants will be required to participate up to 120 hours per calendar month. The worker will document the case narrative explaining the number of hours each participant will be required to complete during the month.

Participants will be required to participate in at least one component per year. Once all component requirements have been completed, the participant will not be reassigned to a different component.

3625 Independent Job Search

Participants assigned to Independent Job Search will be those who:

- 1) Have no barriers that would prevent employment; or
- 2) Possess job seeking skills, training, or job experience.

Participants assigned to this component will be required to independently search for employment based on activities outlined on their employability plan.

The Independent Job Search component may include up to sixteen (16) weeks of job search activities during a twelve month period. Participants will be informed to notify the E&T worker if problems arise that would keep them from completing the assignment.

3626 Job Club

Participants assigned to this component will be:

- 1) Those who have limited ("limited" refers to one year or less) or no job search knowledge/skills; or

- 2) Those who have limited ("limited" refers to one year or less) or no employment history.

Job Club is a nine week component consisting of up to one week of group instruction on job seeking activities, followed by eight weeks of assisted job search.

3627 GED/High School Completion

Participants assigned to this component will be those who:

- 1) Are in need of a high school education or education designed to prepare them for obtaining a high school equivalency certificate (including computer assisted instruction) in order to become job ready.
- 2) Possess at least an 8.9 grade literacy level (based on TABE test results).

Participants will be required to attend classes and comply with the educational requirements/activities outlined by the attending institution. Participation in this component will be based on the requirements of the attending institution, but no less than three hours per week over a twelve month period.

3628 English as a Second Language

Participants assigned to this component will be those who:

- 1) Have no proficiency in the English language; or
- 2) Have some/limited competence in communicating in English.

Participants will be involved in activities designed to provide assistance in English proficiency and/or communication. Participation in English as a Second Language (ESL) will be based on the requirements of the attending institution or agency offering the course, but no less than three hours per week over a six month period.

3629 JTPA Referral

Participants assigned to this component may be involved in work or non-work related activities. Activities may include, but are not limited to:

- 1) Literacy
- 2) Adult Basic Education
- 3) Occupational Skills Training
- 4) On-the-Job Training (OJT)
- 5) Work Experience

E&T participants who are in need of services provided by the JTPA program that cannot be obtained from participation in other E&T components will be referred to JTPA by the E&T worker. Participation in this component will be based on JTPA requirements. The E&T worker will monitor participation by contacting JTPA. The length of the component assignment and subsequent participation will be determined by the designated activity.

3630 Component Assignment Process

Component assignment will be made based upon information gathered during the assessment and will be consistent with the participant's employment goals. Participants will be assigned and begin participating as follows:

Independent Job Search: No later than ten (10) calendar days after completion of assessment.

Job Club: Must be scheduled to begin Job Club no later than thirty (30) calendar days after being assigned.

GED/High School Completion: Will begin this component when services are made available by the provider. The scheduled begin date will be documented in the case narrative.

English as a Second Language: Will begin this component when services are made available by the provider. The scheduled begin date will be documented in the case narrative.

JTPA Referral: Will begin this component when service is made available by the provider. The scheduled begin date will be documented in the case narrative.

3631 Component Re-Assignment

A participant may be re-assigned to a component by the worker when:

- 1) The participant wishes to prevent a sanction
- 2) The participant did not complete the activity, but had good cause.
- 3) The first assignment was inappropriate based on a determination made by the E&T worker; or
- 4) The participant can benefit from the re-assignment and meets the criteria for the component.

3632 Counting Component Participation for E&T Participants

A participant may begin and participate in more than one component over the course of a year. Each time the participant begins a new component the worker will count it as a placement. However, if participation in a single component is not continuous (e.g., participation is interrupted by a disqualification, certification ended, participant becomes exempt), the participant may only be counted as placed at the time of the initial commencement of the component.

3633 Reimbursement/Payments

Components in which participants may be reimbursed are:

- Independent Job Search
- Job Club
- GED/High School Completion
- English as a Second Language
- JTPA Referral

E&T participants will not be reimbursed for expenses incurred prior to participation in the Program. The E&T worker will discuss at assessment, employability plan update, and at any other time deemed appropriate, the reimbursement/payment procedures with the participant. Items to be discussed include, but are not limited to:

- Payment limits
- Documentation of expenses while participating
- Method of payment
- Frequency of payment
- Deadline for submission of documentation
- Exceeding the \$25 monthly maximum

3634 Maximum Payment Limits

Each E&T participant will be eligible to receive payments/reimbursements up to a maximum of \$25 for expenses incurred during the calendar month, excluding child care. Payment for expenses is limited to transportation and other expenses associated with Employment and Training activities.

3635 Calculating Transportation Costs

Payment/reimbursement for transporting an E&T participant will be at the rate of \$.20 per mile or actual expenses, whichever is lower, up to the maximum amount allowed of \$25 per calendar month. Costs associated with renting or using another person's vehicle will not be allowed.

Reimbursement for transportation costs will be based on total miles driven. Participants/providers whose total miles driven are ten or less will be paid/reimbursed \$2.00. The cost of transporting a child to a child care provider will be calculated in the same manner.

Payment/reimbursement for transporting more than one participant at the same time will be at the rate of \$.20 per mile for each participant and will be based on pick-up point for each participant. The provider will complete a separate billing form for each participant.

Example: Participant "A" brings Participant "B" with him to Job Club. Participant "A" will be reimbursed \$.20 per mile for Participant "B" or \$2.00 if the distance is ten miles or less. Participant "A" will also be paid as a participant him/herself.

Examples:

Participant Reimbursement

<u>Miles</u>	<u>Rate</u>	<u>Payment</u>
up to 10	.20	\$2.00
18	.20	\$3.60
98	.20	\$19.60

Provider Payment/One or More Participants

<u>Miles</u>	<u>Rate</u>	<u>Payment</u>
05	\$2.00	\$2.00
10	\$2.00	\$2.00
18	.20	\$3.60
98	.20	\$19.60

In all situations, payments/reimbursements will be the same as outlined and will not exceed the maximum monthly limit of \$25 for each participant.

3636

Payments to Participants Who Provide Transportation

Participants who provide transportation to other E&T participants at the same time they are participating will be paid/reimbursed as a provider and a participant. When a participant is reimbursed as a transportation provider, the worker will complete Form DCO-1430 containing the date and amount of the reimbursement. Only that portion of the reimbursement that is paid as a participant will be counted against the \$25 monthly limit; the other is counted as income that may affect the Food Stamp benefit amount.

3637 Payments/Reimbursements to Bus and/or Taxi Service

Payment/reimbursement for bus and/or taxi service will be at the prevailing rate. For participants whose only means of transportation is taxi and/or bus service, payment/reimbursement will be handled in the following manner:

Bus Service - The E&T worker will use information obtained from the company to determine the cost of a bus pass for the amount of time needed by participant (i.e., weekly, monthly). If purchasing and issuing a bus pass no longer exists, a check for the requested amount (not to exceed the monthly limit) will be generated from RSRP, addressed to either the participant or the transit company, whichever is appropriate. If more than one participant utilizes this service and the decision is to generate a check to the bus company, a separate check for each participant will be generated via RSRP and sent to the bus company. Participants will be required to complete the appropriate form relative to reimbursement (DCO-1446) for record of expenses. The worker will document the case narrative of any information relative to the method of payment/reimbursement.

Taxi Service - Any agreements/arrangements the county office may have in place with local taxi services for providing services to participants may continue (so long as they are within the limits established in policy). The provider will still meet the established guidelines relative to the DCO-1400 (provider agreement) and DCO 1427 (Provider Service Authorization). Checks will be generated from RSRP, if more than one participant uses the same company, a separate check for each participant will be generated via RSRP and sent to the company.

Participants will be required to complete the appropriate forms relative to payments/reimbursements (DCO-1446) for record keeping of expenses. The *Authorization Form* (DCO-1427) will be used by providers to document/bill for payment of expenses. The worker will be responsible for documenting the case narrative of any information relative to the method of payment/reimbursement. If no expenses are incurred as a result of participation in E&T activities by the participant, no reimbursement is due (i.e., participant walks, rides a bicycle, someone provides transportation at no charge, etc. See FSC 3635.)

3638 Frequency of Payments for Participants

While it may be normal practice to process payments/reimbursements on a monthly basis, the worker will explain to the participant that while participating, payment may be received more frequently if expenses are incurred, a claim is submitted and payment is requested. The case narrative will be documented to show this information has been discussed with the participant, and the participant's choice (frequency, method, etc.,) for receiving payment.

The worker will also explain that the frequency chosen by the participant cannot be changed unless good cause exists. If a participant chooses to be paid/reimbursed more frequently than monthly,

In all situations where the DCO-1430 is submitted after the deadline, a good cause determination will be made by the worker using good judgement.

3641 Good Cause Determination for DCO-1430 Received after Due Date

A DCO-1430 received after the deadline (10th of each month) will require a determination of good cause by the worker. The worker will contact the participant for his/her explanation of why the DCO-1430 was not submitted timely. The worker will use the participant's explanation in making the good cause determination. If the determination reveals good cause exists, the participant will be promptly reimbursed and the narrative documented accordingly. If the worker agrees good cause does not exist, the participant will not be reimbursed. The narrative will be clearly documented with events, reasons, etc., relative to the decision made not to reimburse the participant.

3642 Worker Responsibilities

Upon receipt of the DCO-1430, the worker will review all information contained on the form. In reviewing information, the worker will ensure that the form is properly completed and signed.

The review/verification process will include, but is not limited to:

- Applicable component assignment;
- Component participation requirements met; and
- Dates claimed for reimbursement agree with component participation dates.

This review process will be completed and the form signed and dated by the worker within (3) working days from receipt of the information.