

24.8 COMMUNITY WORK EXPERIENCE PROGRAM (CWEP)

CWEP is a work activity for parents or other caretaker relatives age 18 and older. The primary purpose is to provide work experience and training to assist a client who has limited work experience, is under-employed or has no immediate employment opportunities.

A. WHO MAY BE A CWEP SPONSOR

CWEP sponsors are limited to public agencies, such as federal, local, state and not-for-profit employers. It is limited to public services projects in fields such as health, social services, environmental protection, education, urban and rural development and redevelopment, welfare, recreation, public activities, public safety and child care.

B. REQUIREMENTS OF THE SPONSOR

The CWEP sponsor must abide by the following requirements:

- The sponsor must provide the client with guidance and supervision necessary to participate in the work experience project.
- The sponsor must provide safety equipment, special clothing and tools needed to perform the assigned duties.
- The sponsor must assume the cost of any required pre-employment medical examinations.
- The sponsor must guarantee that the client is not expected to work more than 8 hours/day, unless the normal work day exceeds 8 hours.
- The sponsor must schedule the client for a minimum of 4 hours/day. An exception to this is the last day of the contract, the last day of the week or month to even out the work requirement, or a make-up day.
- The sponsor must not schedule the client to work split shifts.
- The sponsor must pay the client for any work in excess of his obligation. The rate of pay must be

the same as the regular or overtime rate for regular employees.

The client may not volunteer to work for the assigned sponsor in excess of his obligation without pay.

- The sponsor must adhere to the displacement/ replacement policy in Section 24.6,B,1.
- The sponsor must provide Worker's Compensation or comparable coverage.

C. STANDARD FOR CONTRACT DEVELOPMENT

The standards for contract development are as follows:

- The nature of the placement must meet the requirements of local employers and must involve skills needed in the local work force.
- Placement at the same site must not exceed 12 consecutive months. Reassignment to another CWEP site may occur immediately. However, reassignment to the same site may only occur after 6 months of not participating in CWEP at that site.
- The contract is an agreement between a sponsor and local WV WORKS staff and establishes the number and type of positions to be filled by the employer.
- All contracts are renegotiated annually. If the circumstances warrant it, a contract may be renegotiated earlier.
- A contract may be terminated by either party with 30 days written notice.
- The contract number will begin with the word CWEP. Each contract is assigned a 6-digit control number. The first 2 digits are the fiscal year; the second 2 digits are the county number. The last two digits are assigned sequentially beginning with 01.

EXAMPLE: CWEP - 04-22-14 (CWEP contract negotiated in FY 2004 by Lincoln County, contract number 14).

- Contracts are completed in triplicate. One copy is distributed to each of the following: the sponsor, the client's case record, DFA.
- A detailed job description, form DFA-JO-1, Job Experience Description, must be attached to each contract for each position.

D. DETERMINING THE HOURS OF PARTICIPATION

The Department of Labor (DOL) has mandated that the requirements of the Fair Labor Standards Act of 1938 be applied when determining the maximum hours of CWEP participation. The following procedure is used to determine the monthly maximum number of hours of participation. The monthly CWEP placement obligation is based on the amount of FS benefits and WV WORKS cash assistance a family is eligible to receive during a month.

NOTE: An DFA-CWEP-1 must be completed as a condition of placement in a CWEP position. The client must not work more hours for the CWEP sponsor, regardless of the amount calculated below. A new DFA-CWEP-1 is required to increase or decrease hours.

The maximum monthly participation obligation is based on the following process:

- Step 1. Determine the amount of the WV WORKS check actually received by the AG, including the amount of the Child Support Incentive and any amount withheld from the check to repay a previous overpayment.
- Step 2. Subtract the amount of current child support received for the month by the Bureau for Child Support Enforcement (BCSE). Only current support payments are subtracted, not arrearages or other payments. Use the amount of child support received by BCSE 2 months prior to the month for which the obligation is calculated.

NOTE: Support service payments, EA and payments other than the cash assistance check and Child Support Incentive which are made from TANF funds, are not added to the check amount when determining the obligation.

Step 3. Determine the amount of the AG's Food Stamp entitlement. This is the amount actually received by the AG, plus any amount withheld to repay a previous overissuance.

NOTE: When the WV WORKS recipients are included in the same Food Stamp AG with non-WV WORKS recipients, a separate calculation must be performed, as follows, to determine the share of the Food Stamp benefits that belongs to the WV WORKS recipients.

- Divide the Food Stamp entitlement by the number of people in the Food Stamp AG.
- Multiply the result of the division by the number of people in the WV WORKS AG. Drop all cents. The result of this multiplication is the amount of Food Stamp benefits used to determine the obligation.

Step 4. Add the results of Steps 2 and 3 together and divide by the minimum wage, which is currently \$5.15/hour. This is the client's maximum monthly obligation.

The CWEP obligation does not have to be met by participating each week. As long as the client participates for the appropriate number of hours per month, he has met his CWEP obligation. However, if the Worker wants to establish a weekly obligation, the result of Step 4 is divided by 4, not 4.3.

Under no circumstances may the client be required to participate more than 40 hours in one week.

NOTE: If the CWEP monthly obligation does not allow the client to meet his work participation requirement, he must be assigned to another activity in addition to his CWEP placement, but must not be assigned to JOIN.

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