

### 25.3 FSE&T ACTIVITIES

All clients must complete a Personal Responsibility Plan (PRP) prior to placement in an activity. The activities available for placement are listed below. Clients must be placed in existing activities provided at no charge to the individual, or payment must be provided through other funding sources such as WIB or PELL grants, etc.

#### A. JOB SEARCH ACTIVITY

Job Search is a qualifying ABAWD activity only when it immediately precedes a qualifying placement. A qualifying placement is one which meets participation requirements for a non-exempt ABAWD.

Individuals who are determined to be job ready or individuals who have satisfactorily completed another program activity are placed in this activity. This activity consists of counseling on an as needed basis. The duration for this activity is one month.

Participants are required to make a pre-determined number of employer contacts in a month. Job contacts are to be recorded on the Job Search Employer Contact Verification Form (WT-25) and returned to the Worker at the end of the job search period. Contacts are verified on a random sample basis. When feasible, one contact should be with Job Service to register for work and to obtain WIB and WOTC certification. If the required contacts have not been made or if other questions arise, an interview is scheduled to determine good cause or to discuss other concerns when the WT-25 is not returned.

Registrants are to be paid \$25.00 for the month's activity. Payment will be made prior to, or when Job Search begins, and must be taken into consideration when scheduling the Job Search activity.

##### 1. Job Contact Requirements

The number of job contacts is not to exceed 12 per month.

##### 2. When the Required Number of Contacts is Not Feasible

It may not always be feasible for a participant to complete the required number of contacts. The Contract FSE&T Worker must determine on a case by case basis if good cause exists for not completing the required number of contacts. One

example when good cause would exist is when there is an insufficient number of employers within a reasonable distance of the individual. Also, the individual must possess the skills likely to be needed by the local employers.

When it is determined that an insufficient number of employers is available, the individual has satisfied the requirements for Job Search if the individual has contacted the available employers, as well as attended the scheduled classroom training.

One payment of \$25 may be made for transportation.

B. EDUCATIONAL ACTIVITIES

This activity includes placement in existing structured activities that includes high school, GED, Adult Basic Education, literacy English as a second language and post secondary education. High School, GED and English as a second language and Adult Basic Education classes are operated by the County Board of Education. In some counties private not-for-profit groups offer this type of activity with Workforce Investment Board (WIB) funding. Individuals in college and other post-secondary activities must use private funds, existing grants (PELL), and loans to cover the cost of tuition, books, and fees. Skills training may be paid after all other resources are exhausted for vocational training (not including college).

Individuals under the age of 30 who have no high school diploma or GED are required to enter remedial or secondary education activities if they are not working part time or involved in another activity. Individuals who are already in college courses are expected to continue participating, or, as required, participate in another activity. Individuals are required to participate a minimum of 6 hours per week or 24 hours of classroom time in a four week period.

Only those scheduled to attend classes at least 24 hours each month will receive reimbursement for transportation. Non-exempt ABAWD individuals attending class less than 20 hours a week are required to participate in another activity to meet the 20 hour participation requirement.

Contract FSE&T staff must refer individuals to the appropriate existing programs such as, ABE, GED, post-secondary, and monitor progress on a monthly basis. A time sheet (WT-12) must be completed for each month's participation and signed by the service provider. The contract staff must also work with participants to help eliminate barriers to participation by making referrals to other services available in the community. The contract staff must work with the service providers to determine that satisfactory progress is being made. If satisfactory progress is not made, a penalty may be applied. See Chapter 13.

Individuals who participate in these activities are expected to improve basic functioning levels and/or obtain their GED. Upon completion individuals may be required to enter either the Job Skills/Vocational Training or EIP.

In order to meet the ABAWD participation requirement, the individual must either attend the educational facility 20 hours a week or be assigned to another component where additional hours of activity may meet the 20 hour requirement.

EXAMPLE: 48 hours per four week period are available in the educational component. The participant may be placed into an EIP for at least 32 hours for the period in order to meet the participation requirement.

Participants are paid a \$25 transportation reimbursement for each month of participation.

It is permissible to pay for the GED exam when an applicant has successfully completed classroom study and the GED teacher recommends that the test be taken.

The following lists educational activities that may meet an individual's work requirement.

1. Literacy

When the client cannot read, he may be placed in a literacy program. To qualify for such placement, the individual must test at or below standards set by the literacy provider.

2. High School

The student must adhere to the established attendance policy of the institution.

When the individual is no longer accepted in the school system, or placing him back in the school system is inappropriate, he must be placed in Adult Basic Education (ABE), vocational training or an alternative school setting.

3. English As A Second Language

Those adults whose native language is not English and who have difficulty reading, writing and/or speaking English, may receive education in English language skills. This is considered ABE/GED for coding purposes.

4. Adult Basic Education (ABE)

ABE includes training in basic skills. It may also be used to help prepare for the GED test.

5. College

**NOTE:** Student policy applies. See Section 9.1,A.

Attending undergraduate college classes part-time may meet the work requirement for an individual if the 20 hours per week requirement is met. Otherwise, hours spent in class may help meet the requirement. No hours of credit are given for study time.

Some undergraduate courses require that students be placed in an unpaid work environment. Such undergraduate placements may also be used to meet the work requirement. These placements include, but are not limited to: student teaching, internships, clinical work assignments and unpaid work experience. When the student does not participate in such activities for a sufficient number of hours to meet his participation requirement, the individual must also participate in another activity. If he does not participate in these activities, he must meet all of the work participation hours in another activity or combination of activities.

**NOTE:** Participation in College Work Study is employment.

A release of information form may be used to obtain information about a client's participation in educational activities, satisfactory progress and testing from institutions and other education activity providers. The form provides a means for the client to authorize the Worker to receive such information.

The form must be read and explained to the client prior to a specific placement or requirement. The form is signed by the client at the time the contract staff needs to obtain specific information. After completion, the form is filed in the case record.

A transportation payment of \$25 may be made for each month of participation. Additionally a payment of \$30 may be made for GED Exams.

C. JOB SKILLS/VOCATIONAL TRAINING

Jobs skills/vocational training enables individuals to acquire the necessary knowledge and skills to compete in a specific occupation. It may be used only when the training is likely to lead to employment. This activity is provided through existing resources available in the community on a non-reimbursable basis, until the resources have been exhausted. This activity is for non-exempt ABAWD Food Stamp requirements only.

This training must be preparation for a specific occupation and is conducted by an instructor in a non-work site or classroom setting. Entry into this activity is restricted, and training is authorized only for programs that can be completed in 1 year or less.

**NOTE:** Exception may be made by DFA.

Participants enrolled in this activity are required to participate a minimum of 80 hours per month. The Vocational Training component is used to train participants in specific job skills for jobs that exist in the local labor market area. Registrants in need of skill training are referred to available vocational training schools such as O.I.C., WIB sponsors and industrial training programs that provide the training free to the

individual before consideration may be made to refer the individual to a facility that charges a fee.

The Contract FSE&T Worker refers suitable candidates to Vocational Training. Attendance and progress must be reported on a monthly progress report (WT-12) furnished by the vocational training facility and must be monitored regularly. Vocational training will vary according to training availability and the labor market needs of a particular area.

For individuals who have obtained a GED, refresher courses or certification to become employed in a particular occupation or a new skill to become employable are referred to Vocational Training facilities operated on the local level by the Boards of Education and the State Board of Education Bureau of Vocational Education.

The Contract staff Worker must determine who should be referred to outside sources for training during the assessment process (**NOTE: See 25.4**) and the development of the Personal Responsibility Plan. Referrals are made to WIB for certification and to specific programs located on the local level. Contract FSE&T staff must monitor attendance monthly via completed attendance sheets (WT-12). Staff must maintain contact with the participant and service provider to insure satisfactory progress is being made and to help eliminate barriers when they arise. No individual who fails to meet the 80 required hours can be considered as making satisfactory progress unless they are also in another component and the total hours of participation equal 80 or more.

Each participant receives a \$25 transportation reimbursement for each month of participation.

#### 1. Placement Criteria

An individual, who has demonstrated the ability to do the course work and who meets the entrance requirements, may participate when:

- His goal is an occupation that requires completion of a vocational course prior to employment; or

- He has no job skills, or has only obsolete or non-marketable skills and must be retrained to find employment; or
- He does not have a high school diploma/GED, and the skill training has been identified as an alternative which can lead to employment.

2. Placement Standards

The training institution and instructor must meet licensing and certification standards of the appropriate governing agency. Unlicensed or uncertified instructors are not approved for training when licensing or certification standards exist.

3. Contracts

Participants must be placed into training positions on a no-cost basis if such positions are available through WIB, Department of Education, Veterans Administration and other providers, before additional training positions are developed.

Contract FSE&T staff may write contracts for individuals without DFA approval for an amount up to \$600. Individual contracts which exceed \$600 must be approved by DFA.

Contract FSE&T uses the Training Agreement, WT-34.

The Agreement Addendum, WT-35, provides a means to amend or cancel contracts. The WT-35 Group contracts must be approved by DFA, regardless of the amount. Contact the FSE&T Program Manager for details.

4. Payment Limitations

Payments are limited to the payment of tuition, books, supplies and expenses associated with completing the course of study. Costs for medical procedures, such as Hepatitis B vaccines or physical exams, are not included. There is a cost limit of \$600/individual per registration period. This cost may be exceeded only with approval

from DFA. To obtain approval to exceed the limit, a written request must be submitted to the Director of DFA and include: the client's name, address, SSN, name of the training facility and the occupation for which training is sought. The request must also include the usual pay rate for the occupation as well as the current employment prospects and labor demands.

Existing programs, offered through WIB, Department of Education and other agencies must be used first when services are available without cost. These providers are not reimbursed, unless all existing training positions have been filled and it is necessary to create additional positions for FSE&T clients.

A transportation payment of \$25 may be made for each month of participation.

D. COMMUNITY SERVICES PROGRAM

This program is for non-exempt ABAWD Food Stamp recipients only. These individuals must be placed in agencies in order to meet the work requirement. The primary purpose of Community Service 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.

Appropriate positions are those with private, not-for-profit agencies or with a public agency. FSE&T Contract staff are responsible for approving all work positions and for collecting time sheets for each individual.

Each participant will receive a \$25 transportation reimbursement for each month of participation.

The FSE&T Contract Worker must work closely with the WV WORKS Unit in making Community Service Placements. A ABAWDS Community Service worker should not be placed with an existing CWEP sponsor without the approval of the local WV WORKS Supervisor.



1. Who May be a Community Service Sponsor

Community Service 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 re-development, welfare, recreation, public activities, public safety and child care.

2. Requirements of the Sponsor

The Community Services Sponsor must abide by the following requirements:

- Provide the client with guidance and supervision necessary to participate in the work experience project.
- Provide safety equipment, special clothing and tools needed to perform the assigned duties.
- Assume the cost of any required pre-employment medical examinations.
- The agency should provide some medical coverage for an individual injured while volunteering at the work site.
- Not schedule clients to work split shifts.

**E. EMPLOYMENT**

The first priority of FSE&T is placement of the individual into full-time unsubsidized employment. When this is not possible, part-time unsubsidized, part-time or full-time subsidized employment and other activities must be explored.

The client's entry into employment may be the result of job development by DHHR staff, the efforts of other employment agencies, or the result of the client's own efforts. If the number of hours of employment does not meet the client's ABAWD work requirement, additional activities must

be required. Hours of employment count toward the client's ABAWD work requirement each month that he actually works and receives Food Stamps.

Items 1 and 2 below define unsubsidized and subsidized employment and provide other necessary information.

1. Unsubsidized Employment

Unsubsidized employment is work with earnings provided by an employer who does not receive a subsidy for the creation and maintenance of the employment position.

**NOTE:** An employer who receives only a tax credit is considered to be providing unsubsidized employment.

a. Displacement/Replacement

There is no consideration of the displacement of other employees when the client is placed in unsubsidized employment.

b. Employment Standards

Unsubsidized employment must meet the following criteria to be considered appropriate. The employment is appropriate when the starting wage is at or above the applicable state or federal minimum wage. When employment does not meet the criteria, the client has good cause for refusing or failing to take action to secure the employment.

2. Subsidized Employment

Subsidized employment is work with earnings provided by an employer who receives a subsidy for the creation and maintenance of the employment position. To place an individual in subsidized employment, the displacement/replacement policy found below and the employment standards found below apply.

3. Displacement/Replacement

Placement of FSE&T clients into subsidized employment and on-the-job training must not dislocate, displace, or otherwise have an adverse effect on an employer's regular labor force.

The following requirements apply:

- The regular employees must not suffer a reduction in work hours, overtime, fringe benefits or the opportunity for advancement.
- The employer must not decline to hire a regular employee in anticipation of a FSE&T placement.
- The employer must not allow a reduction in his regular labor force by increasing the labor force with FSE&T placements.
- FSE&T placements must not cause a relocation of workers from one geographical area to another.
- The regular employees at a work site must be informed that FSE&T placements may not cause any dislocation and that they may file a grievance if they feel their job has been adversely affected by FSE&T placements. See Appendix A and B.
- FSE&T placements must not be made at job sites involved in any abnormal labor condition, such as a strike or lockout.

b. Employment Standards

Subsidized employment must meet the employment standards listed below. When the subsidized employment does not meet all of the criteria, the client has good cause for refusing or failing to take action to secure the position.

The employer must not be in violation of the Civil Rights Act, the Americans with Disabilities Act or any other law governing

the equal treatment of employees in the workplace.

The employment must not impair existing contracts for service or collective bargaining.

The starting wage must be at or above the applicable state or federal minimum wage.

No payment is to be made under this section. The \$25 transportation payment must not be made.

**F. EMPLOYER INCENTIVE PROGRAM (EIP)**

EIP provides clients, hired by either public or private employers, with subsidized training and employment. Prior to the placement, the employer must make a commitment to retain the employee after the completion of the contract. It is a hire-first program with training paid for by the Department.

EIP provides participants with structured skill training, the opportunity to improve skill levels,

and provides those who are marginally employable with an opportunity to become employed. The expected outcome at the conclusion of the contract is unsubsidized employment.

**1. Who May Be An EIP Employer**

Any employer, including a public agency, not-for-profit organization, and private business which is licensed to conduct business in West Virginia is eligible to be an EIP employer, provided all business tax payments are current. In addition, the employer must agree to the requirements specified below.

**2. Employer Requirements**

To become an EIP employer, the employer must abide by the following requirements:

- The employer must guarantee appropriate standards for employment.

- The employer must guarantee there will be no displacement/replacement. See Appendix A and B.
- EIP placements must not provide more than 50% of the employer's labor force.
- The contract is to be for 20 hours per week.
- Out-of-state training sites must be within 15 miles of the WV border.
- The employer must make a commitment to retain the client at the conclusion of the contract.
- The employment must not be temporary or seasonal.
- The number of EIP training hours are based upon the starting wage as shown:

Beginning Hourly Wage	EIP Training Hours
\$5.99 or less	200
\$6.00 through \$6.99	300
\$7.00 through \$7.99	400
\$8.00 through \$8.99	500
\$9.00 or more	600

Contracts are not written for employers in a highly mobile industry.

Contracts are not written for occupations that require certification and/or licensure, such as for a CNA, LPN or RN, if the schooling/training results in the certificate or license.

Contracts are not written for occupations that require minimal training.

A transportation payment of \$25 is made for each month of participation.

### G. Driver's Education

This program is for non-exempt ABAWD Food Stamp recipients only. Individuals, without a driver's license, may be placed in a class in order to learn how to drive. The instructor must be a certified driver's education instructor. The class must be designed to teach driving skills for beginning drivers. This component does not include classes designed to reduce driver's "points" received for traffic violations nor does it include regaining a driver's license after losing it for driving violation.

A transportation payment of \$25 is made for each month of participation. A tuition payment may be made once during the lifetime of the participant. The tuition payment is limited to no more than \$350.00.