PROGRAMMATIC ASSURANCES—PROGRAM YEAR (PY) 2013 GRANT

ETA has determined that the programmatic assurances below reflect standard grant requirements and are consistent with sound program practices.

Grantees must certify that they will conform to these assurances throughout the period of the grant by checking each of the assurances below. These assurances apply at all levels regardless of the grantee administrative structure. These assurances apply fully to any sub-recipient, local project or grantee staff involved in the delivery of services,

Grantees can complete this form electronically; to check off the assurances, go to the "View" function, choose "Toolbars," click on the left side of "Forms," then click on the small lock. For Word 2007, double left-click on box; then, under default value, click "Checked" and then click OK.

The grantee agrees to:

Recruitment and Selection of Participants

☐ Develop and implement methods to recruit and select eligible participants to assure maximum participation in the program.

☐ Use income definitions and income inclusions and exclusions for SCSEP eligibility, as described in TEGL No. 12-06, to determine and document participant eligibility. (Accesss TEGL No. 12-06 at http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2291).

☐ Develop and implement methods to recruit minority populations to ensure at least proportional representation in the assigned service area.

☐ Develop and implement strategies to recruit applicants who have priority of service as defined in OAA section 518(b) (1)-(2) and by the Jobs for Veterans Act (JVA), Pub. L. 107-288. Individuals have priority who fall into one or more of these categories:

    a) Are covered persons in accordance with the JVA (covered persons – veterans and eligible spouses, including widows and widowers – who are eligible for SCSEP must receive services instead of, or before, non-covered persons);

    b) Are 65 years or older;

    c) Have a disability;

    d) Have limited English proficiency;

    e) Have low literacy skills;

    f) Reside in a rural area;

    g) Have low employment prospects;

    h) Have failed to find employment after utilizing services provided through the One-Stop Delivery System;

    i) Are homeless or are at risk for homelessness.

Assessment

☐ Assess participants at least twice per 12-month period.

☐ Use assessment information to determine the most appropriate community service assignments for participants.

Individual Employment Plan (IEP)

☐ Establish an initial goal of unsubsidized employment for all participants.

☐ Update the IEP at least as frequently as assessments occur (at least twice per 12-month period).

☐ Modify the IEP as necessary to reflect other approaches to self-sufficiency, if it becomes clear to the program staff and participant that unsubsidized employment is not feasible.

☐ For participants who will reach the individual durational limit or would not otherwise achieve unsubsidized employment, include a provision in the IEP to transition to other services.

☐ Rotate participants to a new host agency (or a different assignment within the current host agency) based on a rotation policy approved by DOL in the grant agreement and only when an individualized determination determines that the rotation is in the best interest of the participant. Such rotation must further the acquisition of skills listed in the IEP.

Community Service Assignment (CSA)

☐ Base the initial CSA on the assessment done at enrollment.

☐ Select as host agencies only designated IRS 501(c) (3) organizations or public agencies.

☐ Put in place procedures to ensure adequate supervision of participants at host agencies.

☐ Ensure safe and healthy working conditions at CSA through annual monitoring

Recertification of Participants

☐ Recertify the income eligibility of each participant at least once every 12 months, or more frequently if circumstances warrant.

Physical Examinations

☐ Offer physical examinations to participants upon program entry, and each year thereafter, as a benefit of enrollment.

☐ Obtain a written waiver from each participant who declines to have a physical examination.

☐ Does not obtain a copy or use the results of the physical examination to establish eligibility or for any other purpose.

<u>Host Agencies</u>

☐ Develop and implement methods for recruiting new host agencies to provide a variety of training options that will enable participants to increase their skill level and transition to unsubsidized employment.

☐ *Maintenance of Effort:* Ensure that CSAs do not reduce the number of employment opportunities or vacancies that would otherwise be available to individuals who are not SCSEP participants. Grantees must specifically ensure that CSAs do not:

- displace currently-employed workers (including partial displacement, such as a reduction in non-overtime work, wages, or employment benefits).

- impair existing contracts or result in the substitution of Federal funds for other funds in connection with work that would otherwise be performed.

- assign or continue to assign a participant to perform the same work, or substantially the same work, as that performed by an individual who is on layoff.

<u>Orientation</u>

Provide orientations for its participants *and* host agencies, including information on:

Program Overview

☐ Project goals and objectives
☐ CSAs
☐ Training opportunities
☐ Available supportive services
☐ Availability of free physical examinations
☐ Participant rights and responsibilities
☐ Host agencies
☐ Local staff must address the topics listed above and provide sufficient orientation to applicants and participants on:

- SCSEP goals and objectives
- Grantee and local project roles, policies, and procedures
- Documentation requirements
- Holiday and sick leave
- Assessment process
- Development and implementation of IEPs
- Evaluation of participant progress
- Health and safety issues related to each participants' assignment
- Role of supervisors and host agencies
- Maximum individual duration policy, including the possibility of waiver, if applicable
- Termination policy
- Grievance procedures

<u>Wages</u>

☐   Provide participants with the highest applicable required wage (the highest of the Federal, state, or local minimum wage) for time spent while in orientation, training and community service assignment.

<u>Participant Benefits</u>

☐   Provide workers' compensation and other benefits required by state or Federal law (such as unemployment insurance), and the costs of physical examinations.

☐   Establish written policies relating to compensation for scheduled work hours during which the participant's host agency is closed for Federal holidays.

☐   Establish written policies relating to approved breaks in participation and any necessary sick leave that is not part of an accumulated sick leave program.

☐   Do not use grant funds to pay the cost of pension benefits, annual leave, accumulated sick leave, or bonuses.

<u>Procedures for Payroll and Workers' Compensation</u>

☐   Make all required payments for participant payroll and pay workers' compensation premiums on a timely basis.

☐   Ensure that host agencies do not pay workers' compensation costs for participants.

<u>Durational Limits</u>

Maximum Average Project Duration – 27 Months

☐   Maintain average project duration of 27 months or less, unless ETA approves an extension to 36 months.

Maximum Individual Participant Duration – 48 Months

☐   Allow participants to participate in the program no longer than 48 months (whether or not consecutively) unless the grantee's approved policy allows for an extension of time and the participant meets the extension criteria.

☐   Notify participants of its policy pertaining to the maximum duration requirement, including the possibility of an extension, if applicable, at the time of enrollment and each year thereafter, and whenever ETA has approved a change of policy.

☐   Provide 30-day written notice to participants prior to durational limit exit from the program.

<u>Transition Services</u>

☐   Develop a system to transition participants to unsubsidized employment or other assistance before each participant's maximum enrollment duration has expired.

Termination Procedures

☐   Provide a 30-day written notice for all terminations that states the reason for termination and informs the participants of grievance procedures and right to appeal.

Written Termination Policies

Maintain written termination policies in effect and provide to participants at enrollment for:

☐   Provision of false eligibility information by participant

☐   Incorrect initial eligibility determination at enrollment

☐   Income ineligibility determined at recertification

☐   Participant has reached individual durational limit

☐   Participant has become employed while enrolled

☐   Cause (a for-cause termination policy must be approved by the ETA prior to implementation)

☐   IEP-related termination (IEP terminations are based solely on a participant's refusal to accept a reasonable number of job offers or referrals to unsubsidized employment, or refusal to conduct a reasonable search for employment, consistent with their IEP, unless there are extenuating circumstances).

Equitable Distribution

☐   Comply with the equitable distribution (ED) plan for each state in which grantee operates and only make changes in the location of authorized positions within a state in accordance with the state ED plan and with prior ETA approval.

☐   Comply with the authorized position allocations /ED listed in www.scseped.org in order to equitably serve participants.

☐   Collaborate on a state-by-state basis with all grantees authorized to serve in each state to achieve compliance with authorized positions while minimizing disruption to the participants.

Over-Enrollment

☐   Manage over-enrollment to minimize impact on participants and avoid layoffs.

Administrative Systems

☐   Ensure representation at all ETA-sponsored required grantee meetings.

☐   Communicate grant policy, data collection, and performance developments and directives to staff, sub-recipients, and local project operators on a regular basis.

☐   Develop a written monitoring tool that lists items the grantee will review during monitoring visits, and provides this tool to sub-recipients and local project operators.

☐ Develop an annual monitoring schedule, unless the FPO approves a different standard; notify sub-recipients and local project operators of monitoring plans; and monitor sub-recipients and local project operators on a regular basis.

☐ Develop and provide training to increase sub-recipients' and local project operators' skills, knowledge, and abilities.

☐ When appropriate, prescribe corrective action and follow-up procedures for sub-recipients and local project operators to ensure that identified problems are remedied.

☐ Monitor the financial systems and expenditures of sub-recipients and local project operators on a regular basis.

☐ Ensure that sub-recipients and local project operators receive adequate resources to effectively operate local projects.

☐ Train sub-recipients and local project operators on SCSEP financial requirements to help them effectively manage their own expenditures, and provide general financial training as needed.

☐ Ensure that all financial reports are accurate and submit them in a timely manner, as required.

☐ Ensure full implementation and monitoring of requirements for customer satisfaction surveys, including participant, host agency and employer surveys.

☐ Develop a written plan for both disaster response and recovery so SCSEP may continue to operate and provide services.

Collaboration and Leveraged Resources

☐ Collaborate with other organizations to maximize opportunities for participants to obtain workforce development, education, and supportive services to help them move into unsubsidized employment. These organizations may include but are not limited to: workforce investment boards, American Job Centers (One-Stop Career Centers), vocational rehabilitation providers, disability networks, basic education and literacy providers, and community colleges.

Supportive Services

☐ Provide supportive services, as needed, to help participants participate in their community service assignment and to obtain and retain unsubsidized employment.

☐ Establish criteria to assess the need for supportive services and to determine when participants will receive supportive services, including after obtaining unsubsidized employment.

Sub-Recipient Selection (If Applicable)

☐ In selecting sub-recipients in areas with a substantial population of individuals with barriers to employment, national grantees should give special consideration to

organizations with demonstrated expertise in serving individuals with barriers to employment (including former recipients of national grants), as defined in the statute.

Complaint Resolution

☐ Establish and use written grievance procedures for complaint resolution for applicants, employees, sub-recipients, and participants.

☐ Provide applicants, employees, sub-recipients, and participants with a copy of the grievance policy and procedures.

Maintenance of Files and Privacy Information

☐ Maintain participant files for three program years after the program year in which the participant received his/her final follow-up activity.

☐ Ensure that all participant records are securely stored by grantee or sub-recipient and access is limited to appropriate staff in order to safeguard personal identifying information.

☐ Ensure that all participant medical records are securely stored separately by grantee or sub-recipient from all other participant records and access is limited to authorized staff for authorized purposes.

☐ Establish safeguards to preclude tampering with electronic media, *e.g.*, personal identification numbers (PINs) and SPARQ logins.

☐ Ensure that the ETA/SCSEP national office is immediately notified by grantee in the event of any potential security breach of personal identifying information, whether electronic files, paper files, or equipment are involved.

☐ Comply with and ensure that authorized users under its grant comply with all SPARQ access and security rules.

Documentation

☐ Maintain documentation of waivers of physical examinations by participant.

☐ Maintain documentation of the provision of complaint procedures to participants.

☐ Maintain documentation of eligibility determinations and recertifications.

☐ Maintain documentations of terminations and reasons for termination.

☐ Maintain records of grievances and outcomes.

☐ Maintain records required for data validation.

☐ Maintain documentation of monitoring reports for sub-recipients and host agencies.

<u>Data Collection and Reporting</u>

☐   Ensure the collection and reporting of all SCSEP required data according to specified time schedules.

☐   Ensure the use of the OMB-approved SCSEP data collection forms and the SCSEP Internet data collection and evaluation system, SPARQ.

☐   Ensure at the grantee or sub-recipient level that those capturing and recording data are familiar with the latest instructions for data collection, including ETA administrative issuances, *e.g*., TEGLs, the Data Collection and Data Validation Handbooks, and Internet postings on the Ask the Experts and SCSEP-Help Web sites. (See olderworkers.workforce3one.org)

☐   Ensure data are entered directly into the WDCS/SPARQ.

☐   Legally obligate sub-recipients to turn over complete data files in the specified electronic format, as well as hard copy case files, to the grantee when sub-recipients cease to administer SCSEP.

☐   Legally obligate new sub-recipients to enter complete data related to any participants whom they acquire upon becoming sub-recipients, including any participants who are still in the follow-up period.

If any box is not checked, the grantee must provide information on a separate attachment indicating what specific steps the grantee is taking to conform to those standard grant requirement(s).

By checking the boxes above, I certify that my organization will comply with each of the listed requirements and will remain in compliance for the program year for which we are submitting this application.

_____   _____

Signature of Authorized Representative   **Date**