

**NEW YORK STATE OFFICE FOR THE AGING**

2 Empire State Plaza, Albany, NY 12223-1251  
Andrew M. Cuomo, Governor                      Greg Olsen, Acting Director  
An Equal Opportunity Employer

<b>PROGRAM INSTRUCTION</b>	<b>Number</b>	<b>11-PI-14</b>
	<b>Supersedes</b>	<b>10-PI-08</b>

**DATE:** August 4, 2011

**TO:** Area Agency on Aging Directors

**SUBJECT: Senior Community Service Employment Program (Title V of the OAA)  
Allocation Schedule and Subgrantee Application for Program  
Year 2011-2012**

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**ACTION REQUESTED:** Submission of the 2011-12 Title V Program Application

**RESPONSE DUE DATE: August 30, 2011**

**PURPOSE:** Transmit the Title V Allocation Schedule, Grant Application forms and Instructions for completion of the Title V application and requirements for funding renewal for the Program Year 2011-2012.

**Policy on Sponsorship**

New York State Office for the Aging (NYSOFA) policy on local Senior Community Service Employment Program (SCSEP) sponsorship requires that all sub-recipients must be Area Agencies on Aging (AAA). If an AAA wants another entity to operate the SCSEP in their county they may do so through a subcontract. However, NYSOFA must approve the subcontractor. If an AAA elects not to be a sub-recipient of Title V funding, the enrollee slots and funding previously awarded for that county will be reallocated to AAAs where the present slot allocation is under equity per the equitable distribution goals.

**Decrease in Funding**

Effective July 1, 2011, the United States Department of Labor has decreased the SCSEP allocation by \$150,000,000 nationally. This will result in a 25% reduction for all programs currently enrolled in the New York State SCSEP. The funding and slot reduction amounts are included in Attachment 2.

## **Term Limits**

The average amount of time all participants should be in the SCSEP program is twenty-seven months. The maximum time any single trainee can be enrolled in the SCSEP program is 48 months unless a participant qualifies for one of the seven waivers. Calculation of months participating in the program for term limit purposes began July 1, 2007.

**Termination Waivers** are available if a participant meets one or more of the following:

- Has a severe disability;
- Is frail;
- Is 75 years of age or older;
- Meets Social Security age requirements but does not receive Social Security benefits;
- Lives in an area of persistent unemployment and has severely limited employment prospects;
- Has limited English proficiency; and/or
- Has low literacy skills.

The above durational limit policy will be implemented with the following provisions:

- The durational limit policy must be uniformly applied to each and every participant.
- All current and incoming participants will be informed in writing of the individual durational limit policy.
- Transition plans must be in place for each participant affected by a durational limit and will be implemented in a timely manner to ensure the best possible outcome for each participant.
- When a person will be terminated due to reaching his or her time limit, the participant must be sent a notice of termination at least 30 days before the termination date.
- A copy of your grievance procedures must be given to each participant whenever they are informed of any durational limit termination.

## **Performance Measures**

The SCSEP performance measures are as follows:

Community Service – The number of hours of community service in the reporting period divided by the number of hours of community service (funded by the grant), minus the number of paid training hours in the reporting period. NYSOFA's established goal is **50%**.

Each slot is equivalent to approximately 20 hours per week of Community Service. For each slot awarded, at least 16 hours a week must be spent in Community Service. Monitoring must include the number of Community Service hours for each trainee, unfilled slots, enrollment level, and other "down time" in the program when slots may be underutilized in relation to funding received.

Average Earnings – Of those participants who are employed in the first, second and third quarters after the quarter of program exit, total earnings in the second and third quarters after the exit quarter, divided by the number of exiters during the period. The Average Earnings goal established for NYSOFA is **\$6,923** for all participants placed in unsubsidized employment.

Entered Employment – Of those not employed at the time of participation, the number of participants employed in the first quarter after the exit quarter divided by the number of participants who exit during the quarter. The goal for NYSOFA has been established by USDOL to be **25%**.

Service to the Most-in-Need – Average number of barriers per participant. The aggregate number of most-in-need characteristics for all participants divided by the number of participants who are active on the last day of the reporting period or who have exited during the reporting period. NYSOFA has a performance goal of **2.51** criteria per trainee.

Most-in-Need characteristics:

- a. have a severe disability;
- b. frail;
- c. age 75 or older;
- d. meet the eligibility requirements related to age for, but do not receive, benefits under Title II of the Social Security Act;
- e. live in an area with persistent unemployment and are individuals with severely limited employment prospects;
- f. have limited English proficiency;
- g. have low literacy skills;
- h. have a disability;
- i. reside in a rural area;
- j. are veterans who meet the criteria of the Jobs for Veterans Act;
- k. have low employment prospects;
- l. have failed to find employment after utilizing services provided under Title I of the Workforce Investment Act of 1998; or,
- m. are homeless or at-risk for homelessness.

Retention – Of those participants who are employed in the first quarter after the exit quarter, the number employed in both the second and third quarters after the exit quarter divided by the number of participants who exit during the quarter. NYSOFA has a Retention goal of **66.3%** of participants.

Service Level – The number of participants who are active on the last day of the reporting period or who exited during the reporting period divided by the number of modified community service positions. The NYSOFA goal is **100%** and is detailed in Attachment 3.

## **Reporting Requirements**

As part of the grant agreement, the local program will ensure that:

- 1) It possesses the necessary capacity to perform data collection;
- 2) It enters all data relating to participants served;
- 3) All quarterly data submissions are transmitted to the SCSEP Performance and Results Quarterly Progress Report (SPARQ) by the 15<sup>th</sup> day following the end of a reporting quarter, or as directed by the SPARQ contractor;
- 4) It submits complete data files in specified formats to NYSOFA at the time it ceases to administer the SCSEP Program; and,
- 5) New subgrantees will enter complete data related to any participants whom they acquire upon becoming the subgrantee.

## **Wages and Fringe Benefits**

The United States Department of Labor allocates to each state and national sponsor a specified number of authorized positions, which is the minimum number of job slots that each state must maintain for the program year.

Federal Older Americans Act (OAA) Title V funds are allocated to state and national sponsors on a unit cost basis. The unit cost includes agency administrative costs per slot, enrollee wages and fringe benefits for an average of 20 hours weekly of subsidized employment, and other enrollee costs for supportive services. The unit cost is based on estimated expenses for 20 hours of subsidized employment at State or Federal minimum wage (whichever is higher), and the required fringe benefits for each position.

Title 20 Code of Federal Regulations (CFR) Section 641.565 contains the specific program requirements for enrollee wages and fringe benefits. This section identifies those fringe benefits that are required for the programs, and also sets limits on other fringe benefits such as enrollment into retirement programs. Fringe benefits must be administered uniformly to all enrollees within a project or sub-project; project sponsors are required to ensure that enrollees receive all fringe benefits required by law. Those required are Social Security (FICA), and coverage for Worker's Compensation and Unemployment Insurance benefits.

Per Section 7(b) of the Standard Assurances for OAA Title V (Attachment 4 of this PI), as a condition to receiving Title V funds, each sponsor agrees to maintain a full enrollment level for the program. The Title V program allocates subsidized positions, and the resources to support these job slots based on minimum costs for each position. The unit cost assumes that the enrollee will work 20 hours per week at minimum wage and receive only those fringe benefits which are required by federal law. Title V programs which provide excessive enrollee wages and fringe benefits not only exceed this unit cost and have problems maintaining full enrollment levels, they also create a disincentive to placing older workers into unsubsidized employment, and deny opportunities for Title V employment to many other low income persons.

NYSOFA will not approve AAA program budgets that fail to provide full funding of the minimum number of enrollee job slots for the program year. AAAs and other program

sponsors who provide costs for enrollee wages and fringe benefits that are in excess of the unit costs allocated for each position must assume those additional costs. If county personnel policy requires Title V salaries and fringe benefits at higher levels and the county chooses not to subsidize the higher levels with its own funds, NYSOFA recommends that each Title V sponsor consider other options for the Title V program. This may include reclassification of the Title V jobs from county employee lines to trainee positions.

### **Assigning Costs**

Seventy-five percent of the funds must be spent on trainee wages and fringe benefits. Twenty-five percent can be spent on other program costs. 9.45% of the total expenditures can be expended on administrative costs. For example, if you are receiving and expend \$40,000 in Title V funding the following would apply:

Wages and Fringe	(75% X \$40,000)	= \$ 30,000 minimum
Administration	(9.45% X \$40,000)	= \$ 3,780 maximum
Other Program Costs	(40,000 - \$33,780)	= \$ 6,220 maximum remainder

If less than \$3,780 is spent for administration, these funds could be spent in the “other” category.

Attachment 1d is a table representing the types of costs that can be charged to these three categories.

### **Matching Funds**

The Older Americans Act limits federal reimbursement to 90 percent of the total allowable Title V costs. Title V regulations state that a grantee (in this case NYSOFA) may not require a subgrantee (the area agency on aging) to provide non-Federal resources for the use of the SCSEP project (20 CFR 641.809) as a condition of receiving a grant. NYSOFA does not have a source of funds for matching Title V funds that are allocated to the local programs.

Therefore, in order to continue to operate the Title V Program, NYSOFA requests that local programs provide non-Federal match to help with the matching requirement. In previous years, some local programs have provided over-match to enable NYSOFA to meet the overall, statewide matching requirement. We appreciate your cooperation in identifying and reporting over-match to ensure that New York State is able to continue this program.

Consistent with the 2010 application document, the budget pages contain a line to document any allowable matching funds you choose to provide. The matching funds can include the value of in-kind personal services such as the value of the supervision and training received at the community service assignment and/or rent provided by a third party. Please note the following:

- Other Federal funds may not be used to match Title V funds unless specifically stated in the authorizing legislation;

- Matching expenditures must meet all criteria for allowable costs under the Title V program. They must be for authorized employment activities for Title V enrollees; and
- In-Kind contributions must be reasonable and properly documented. NYSOFA only allows rental expenses, salaries/wages and related fringe benefits for in-kind expenses. These costs must be borne by a third party at no cost to the Area Agency on Aging; the Agency's sponsoring organization, or any Title V contractor(s). The amount of matching expenses charged to the program must not exceed the actual documented cost to the contributing party.
- The sources of the funds used to pay for the matching costs must be allowable. They can include funds or in-kind contributions used to match other State or Federal funds that cannot be used to match Title V dollars. Matching expenditures must be documented consistent with the documentation provided for expenditures of Federal funds.

Please contact your Fiscal Team or the Title V program staff if you have any questions about in-kind matching funds.

#### **SUBMITTING YOUR APPLICATION TO NYSOFA**

Please complete and submit to NYSOFA one (1) original, signed Title V Application, and two copies. The original application must bear the signature of the subgrantee official authorized to sign the SCSEP Application for Title V OAA grant renewal.

**Please mail or deliver the original application and two copies on or before August 30, 2011 to:**

Tim Kovarik  
New York State Office for the Aging  
Bureau of Health Benefits & Economic Security, 4<sup>th</sup> Floor  
2 Empire State Plaza  
Albany, NY 12223-1251

By copy of this Program Instruction, each AAA is authorized to begin Title V activities for the July 1, 2011– June 30, 2012 period utilizing their allocation as shown on the attached schedule. These activities must be conducted in accordance with the requirements stated in this Program Instruction.



Greg Olsen, Acting Director

**ATTACHMENTS:**

Attachment 1	Title V Subgrantee Application
Attachment 1a	Plan for Contractual Services
Attachment 1b	Title V Program Summary Budget
Attachment 1c	In-Kind Contribution Form
Attachment 1d	New Cost Categories, and Assignment and Reporting of Costs
Attachment 1e	Planned Program
Attachment 2	2011-2012 Title V Allocation Schedule
Attachment 3	2011-2012 Title V County Performance Goals
Attachment 4	Title V Standard Assurances

**PROGRAMS AFFECTED:**

<input type="checkbox"/> Title III-D	<input type="checkbox"/> Title III-E	<input type="checkbox"/> Title III-F	<input type="checkbox"/> CSE	<input type="checkbox"/> SNAP
<input type="checkbox"/> Energy	<input type="checkbox"/> EISEP	<input type="checkbox"/> NSIP	<input checked="" type="checkbox"/> Title V	<input type="checkbox"/> HIICAP
<input type="checkbox"/> LTCOP	<input type="checkbox"/> Other:			
<input type="checkbox"/> Title III-B	<input type="checkbox"/> Title III-C-1	<input type="checkbox"/> Title III-C-2		

**CONTACT PERSON:** Tim Kovarik

**TELEPHONE:** (518) 474-7252

**Attachment 1 – Title V Subgrantee Application**

**SUBGRANTEE APPLICATION - TITLE V PROGRAM**

**INSTRUCTIONS:** When completed, **send one (1) original application**, with the authorized signature in blue ink as indicated below, **and two (2) copies of the completed original application** to: Tim Kovarik, The New York State Office for the Aging, 2 Empire State Plaza, 4<sup>th</sup> Floor, Albany, NY 12223-1251. Keep one (1) file copy.

1. County Name _____	2. Program Period: From: 7/1/11 to 6/30/12
3. Subgrantee Organization: Name: _____ Address: _____ City: _____ NY Zip _____ Name of SCSEP Contact Person: _____ Phone: Area Code: _____ Number: _____	
4. Official Authorized to Receive Payments: Name: _____ Title: _____ Address: _____ City: _____ NY Zip _____	
5. Terms and Conditions: The undersigned agrees with respect to any funds used for programs described in this application to comply with all applicable federal, state and local laws and rules including the following:  <ul style="list-style-type: none"> <li>a) Title V of the Older Americans Act of 1965 as amended;</li> <li>b) U.S. Dept. of Labor Rules and Regulations for Title V;</li> <li>c) New York State Office for the Aging Rules and Regulations which may pertain to Title V;</li> <li>d) Article 15 of the New York State Executive Law (Human Rights Law);</li> <li>e) Governor's 1960 Code of Fair Practices;</li> <li>f) Title IV of the Civil Rights Act of 1964;</li> <li>g) Standard Assurances included in this Application;</li> <li>h) Section 504 of the Rehabilitation Act of 1973;</li> <li>i) Age Discrimination in Employment Act of 1975; and</li> <li>j) Americans with Disabilities Act of 1990 (42USC12101 See 92-PI-32).</li> </ul>	
_____ Typed Name of Individual Authorized to Sign Application for the Subgrantee Organization	_____ Title
_____ Signature	_____ Date

# Attachment 1a - Plan For Contractual Services

(Complete only for each new subcontractor)

Contractor must agree to conform to all standards developed by the NYSOFA for agreements between Program Subsponsors and Contractor. Copies of all contracts (including budgetary information) must be sent to NYSOFA no later than 30 days after the effective date of the contract. Failure to do so may result in loss of funds.

Subcontractor:

Name \_\_\_\_\_

Address \_\_\_\_\_

Service Location \_\_\_\_\_

Contract Period:

From 7/1/11 to 6/30/12

Total Amount of Contract: \$ \_\_\_\_\_

Federal Funds Requested: \$ \_\_\_\_\_

Non-Federal Matching Funds: \$ \_\_\_\_\_

A. Indicate below the type of service to be provided.

- Outreach and recruitment
- SCSEP administrative services (payroll, records)
- SCSEP project staff coordinator \_\_\_\_PT \_\_\_\_FT
- Training \_\_\_\_ work experience
- \_\_\_\_ classroom
- \_\_\_\_ job search/job club
- \_\_\_\_ other (indicate) \_\_\_\_\_
- Individual assessments
- Individual development plan
- Host agency assignment
  - \_\_\_\_ aging service agency/network
  - \_\_\_\_ community service agency
- Unsubsidized placement
- Other (indicate) \_\_\_\_\_

B. Number of enrollees to be served \_\_\_\_\_

**Attachment 1b**

**Program Summary Budget - Title V Program**

County: \_\_\_\_\_

Program Period: July 1, 2011 to June 30, 2012

Budget Category	A. Total Budget	B. Administrative		C. Enrollee Wages Fringe Benefits	D. Program/Other Costs
1. Personnel	0				
2. Fringe Benefits	0				
3. Equipment					
4. Travel	0				
5. Maintenance & Operations	0				
6. Other Expenses	0				
7. Subcontracts	0				
8. Total Budget Lines 1-7	0		0	0	0
9. Total Federal Funds Requested	0	*	**	***	
		%			
10. Non Federal Matching Funds	0	*			
		%			

\* Federal share cannot exceed 90% of the Total Budget.  
 \*\* Federal share of Administration is not to exceed 9.45% of the Federal funds requested.  
 \*\*\* Federal share of Enrollee Wages and Fringe Benefits must be at least 75% of the Federal funds requested.



**Supporting Budget Schedule - Title V - Continued**

County: \_\_\_\_\_  
 Program Period: \_\_\_\_\_

**4. Travel:** *Per USDoL directive, mileage reimbursement cannot exceed \$ .55 per mile*

**5. Maintenance and Operations:**  
 Rental costs:   
 Other maintenance & Operations costs:   
**Total** 0

**6. Other Expenses:** (List Specific items and cost)  
 Training: \$ \_\_\_\_\_ Conferences/Seminars: \$ \_\_\_\_\_  
 Bonding: \$ \_\_\_\_\_ Other: \* \$ \_\_\_\_\_  
 \* Specify   
  
**Total**

**7. Subcontracts:** List each contract and amount. *A copy of the contract must be submitted to NYSOFA before reimbursement will be made.*

Subcontractor	NYSOFA use only Contract rec'd	Total Amount Title V Program
Total number of Subcontracts: _____	<b>Total</b>	0

**8. Total Budget** **Lines 1-7** \_\_\_\_\_

**9. Federal Funds:**  
 Title V Base Allocation: \_\_\_\_\_  
 Reallocated/Supplemental Funds \_\_\_\_\_  
**Total** 0

**10. Non-Federal Matching Funds:**

Source	Check ( ) if In-kind	Amount
<b>Total</b>		0

**Attachment 1c – In-Kind Contribution Form**

**CONFIDENTIAL Supervisor/Trainer’s Non-Federal In-Kind Contribution**

The Senior Community Service Employment Program relies on the valuable contributions of the organizations and individuals who train and provide supervision to our program trainees. In order to reflect the value of this contribution, please complete this form. The information on this form will be seen only by those individuals who compute and report aggregate in-kind contributions and the staff persons who audit or monitor the program.

**Name of Agency:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Phone:** \_\_\_\_\_ **Name of Supervisor/Trainer:** \_\_\_\_\_

<b>A) [ ] Annual Salary or [ ] Hourly Wage Rate</b>	\$ _____
<b>B) Hours Worked Per Year</b>	_____
<b>C) Hours Worked Supervising SCSEP *</b>	_____
<b>D) In-Kind Supervision</b>	\$ _____

(Compute row D as Follows: For Salaried employees -  $A \times (C \div B) = D$  for hourly employees –  $A \times C = D$ )

**\* Time spent supervising SCSEP trainee must be paid for with non-federal funds that are not used to match another federal program.**

**Certification:** I certify that the above information is accurate. I agree to inform the Senior Community Service Employment Program of any changes in the information that may occur during the course of the grant period. Authorized representatives of the United States Department of Labor (USDOL), the New York State Comptroller or his authorized representatives, the staff of NYSOFA and the staff of the local SCSEP subrecipient shall have access to and right to examine all payroll and time allocation records that support the claimed in-kind contributions. Records pertaining to the claimed in-kind supervision will be retained for four years after the end of the grant period.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Title: \_\_\_\_\_

**Attachment 1d - New Cost Categories, and Assignment and Reporting of Costs**  
 (some examples)

**Administration (9.45% max)**

**Program Costs**

	Program/Enrollee Wages and Fringe Benefits	Program/Other
<p>Management Information Systems (MIS) and monitoring for administrative systems, budget, planning, preparation and tracking.</p>	<p>75% minimum</p>	<p>Management Information System (MIS) for program and enrollee services (QPR).</p>
<p>Hiring, training and supervision of administrative staff.</p>		<p>Planning, developing, monitoring and oversight of program and enrollee activities.</p> <p>Hiring, training and supervision of program staff.</p>
<p>Processing fiscal reports and forms.</p>		<p>Community Outreach</p>
<p>Completing and processing time records and other payroll items including distribution of payroll. (i.e., If payroll distribution is combined with a counseling visit, the cost can be shared with Program/Other).</p>		<p>Outreach, recruitment, intake, assessment, training and placement of enrollees and the paper work necessary to do these activities.</p> <p>Worksite/Training site monitoring</p> <p>Preparation of any program materials such as flyers, handbooks or training material.</p> <p>Completion of any paper work about program services for enrollees or applicants.</p>
		<p>Dealing with enrollee or worksite issues such as grievances, accident reports and other paper work necessary for other programs or services such as food stamps, housing, etc.</p>
		<p>Outreach, recruitment, negotiations with employers for job development and placement activities.</p>

## Attachment 1e - Planned Program

### Recruitment and Selection of Participants:

- (1) Your agency has developed and implemented methods for recruiting and selecting participants that assure the maximum number of eligible individuals have an opportunity to participate in the program.  Yes  No
- (2) The income definitions and income inclusions for determining Senior Community Service Employment Program (SCSEP) eligibility, as described in Training and Development Guidance Letter (TEGL) 12-06, are used to determine and document participant eligibility. TEGL 12-06 may be accessed on [www.doleta.gov/seniors](http://www.doleta.gov/seniors) under Technical Assistance.  Yes  No
- (3) Your agency has developed strategies to recruit applicants who have priority for service as defined in the Older Americans Act (OAA) Section 518(b)(1)-(2). Priority is to be afforded to individuals who are 65 years of age or older or:
- a) Are veterans or eligible spouses of veterans as defined in 20 CFR 1010.110;  Yes  No
  - b) Have a disability;  Yes  No
  - c) Have limited English proficiency or low literacy skills;  Yes  No
  - d) Reside in a rural area;  Yes  No
  - e) Have low employment prospects;  Yes  No
  - f) Have failed to find employment after utilizing services provided through the One-Stop Delivery System; or  Yes  No
  - g) Are homeless or at-risk for homelessness (OAA Section 518(b)(1)-(2)).  Yes  No

Please provide additional information if you checked No: \_\_\_\_\_

\_\_\_\_\_

### Assessment

- (1) Participants are assessed at least two times per 12 month period.  Yes  No
- (2) Assessment information is used to determine the most appropriate community service assignments for Participants.  Yes  No

Please provide additional information if you checked No: \_\_\_\_\_

\_\_\_\_\_

**Individual Employment Plan (IEP)**

- (1) The IEP establishes an initial goal of unsubsidized employment for all participants.  Yes  No
- (2) The IEP is updated at least as frequently as the assessment.  Yes  No
- (3) The IEP is used to determine SCSEP training assignments and maximize the participants' potential for transition to unsubsidized employment.  Yes  No
- (4) The IEP includes action steps and sets timelines to provide needed support services and to achieve training objectives and employment goals.  Yes  No

Please provide additional information if you checked No: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Community Service Employment Assignment (CSEA)**

- (1) The initial CSEA is based on the assessment done at the time of enrollment.  Yes  No
- (2) The IEP is the basis for determining when, as appropriate, to rotate participants through assignments with a CSEA or to other CSEAs to acquire the skills necessary to obtain unsubsidized employment.  Yes  No
- (3) Select host agencies are designated 501C organizations.  Yes  No
- (4) You have procedures in place for assuring adequate supervision of participants at the host agencies.  Yes  No
- (5) You have procedures in place to assure safe and healthy working conditions.  Yes  No

Please provide additional information if you checked No: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Recertification of Participants**

- (1) Participants' income eligibility is recertified at least once every 12 months, or more frequently if circumstances warrant.  Yes  No
- (2) You have a written policy identifying actions to use with those found to be ineligible (including notification of their right to appeal the finding).  Yes  No

Please provide additional information if you checked No: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Physical Examinations**

- (1) Physicals are offered to participants upon program entry and each year thereafter as a benefit. [ ] Yes      [ ] No
- (2) A written waiver is obtained from each participant who declines to have a physical. [ ] Yes      [ ] No

Please provide additional information if you checked No: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Orientation**

- (1) You provide orientations for the participant and host agency which include information on:

*Participant Orientation*

- Project goals and objectives [ ] Yes      [ ] No
- Community Service employment assignments [ ] Yes      [ ] No
- Training opportunities [ ] Yes      [ ] No
- Available supportive services [ ] Yes      [ ] No
- Participants' rights and responsibilities [ ] Yes      [ ] No
- Host agencies [ ] Yes      [ ] No
- Provision of safe working environment [ ] Yes      [ ] No
- Annual monitoring and safety assessment [ ] Yes      [ ] No
- Termination policies [ ] Yes      [ ] No
- Grievance procedures [ ] Yes      [ ] No

Please provide additional information if you checked No: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Participant Benefits*

- (1) Benefits are provided that are required by State or Federal law (such as workers' compensation or unemployment insurance), and the costs of physical examinations. [ ] Yes      [ ] No
- (2) Written policies are established that relate to compensation for scheduled work hours during which a host agency is closed for Federal holidays. [ ] Yes      [ ] No
- (3) You have written policies relating to necessary sick leave that is not part of an accumulated sick leave or bonuses. [ ] Yes      [ ] No
- (4) Do you use grant funds to pay the cost of pension benefits, annual leave, accumulated sick leave or bonuses? [ ] Yes      [ ] No

Please provide additional information if you checked No: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Durational Limits*

- (1) Your agency is complying with an average participation cap for eligible individuals (in the aggregate) of 27 months.  Yes  No

Please provide additional information if you checked No: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Maximum Duration of Program Participation 48 Months*

- (1) Your program complies with the requirement that participants may participate in the program no longer that 48 months in the aggregate (whether or not consecutive) unless the participant receives a waiver of this requirement.  Yes  No
- (2) Participants are notified of the policy pertaining to the maximum duration requirement at the time of enrollment.  Yes  No

Please provide additional information if you checked No: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Termination Procedure**

- (1) You provide a reason for termination and inform the participants of your grievance policies. (An IEP termination policy must be approved by NYSOFA prior to implementation.)  Yes  No

Please provide additional information if you checked No: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Written Termination Policy is in effect for:**

- (1) Provision of false information (immediate)  Yes  No
- (2) Incorrect initial eligibility determination  Yes  No
- (3) Income ineligibility determined at recertification  Yes  No
- (4) Cause (immediate or corrective action, depending on infraction)  Yes  No
- (5) If applicable, and there are no extenuating circumstances that would hinder the participant from moving to unsubsidized employment, refusal to accept a reasonable number of job offers or referrals to unsubsidized employment consistent with the IEP.  Yes  No

Please provide additional information if you checked No: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Over-Enrollment**

- (1) You manage over-enrollment to minimize the impact on participants and avoid layoffs.  Yes  No

Please provide additional information if you checked No: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Maintenance of Effort**

- (1) Participants do not reduce the number of employment opportunities or vacancies that would otherwise be available to individuals not participating in the program.  Yes  No
- (2) Participants do not displace currently employed workers (including partial displacement, such as a reduction in hours on non-overtime work, wages, or employment benefits).  Yes  No
- (3) Participants do not impair existing contracts or result in the substitution of federal funds for other funds in connection with work that would otherwise be performed.  Yes  No
- (4) You do not assign or continue to assign any participant to perform the same work or substantially the same work as that performed by any other individual who is on layoff.  Yes  No

Please provide additional information if you checked No: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Linkages & Coordination with Other Organizations and Programs**

- (1) Does your agency have a written Memorandum of Understanding with the local Workforce Investment Board (WIB) ?  Yes  No
- (2) Is SCSEP represented on the Workforce Investment Board?  Yes  No

Please provide additional information if you checked No: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Procedures for Payroll and Payment of Workers' Compensation**

- (1) Your agency makes all required payments for payroll and Workers' Compensation premiums on a timely basis. [ ] Yes [ ] No
- (2) You ensure that host agencies do not pay Workers' Compensation costs for participants. [ ] Yes [ ] No

Please provide additional information if you checked No: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Maintenance of Files and Privacy Information**

- (1) Participant files are maintained for (3) three years after the program year in which all follow-up activity for a participant has been completed. [ ] Yes [ ] No
- (2) Participant records are securely stored and access is limited to appropriate staff to safeguard personal identifying information. [ ] Yes [ ] No
- (3) Safeguards to preclude tampering with electronic media are established (e.g., Personal Identification Numbers (PIN) for recordkeeping). [ ] Yes [ ] No
- (4) You comply with and ensure that authorized users comply with all SPARQ access and security rules. [ ] Yes [ ] No

Please provide additional information if you checked No: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Documentation**

- (1) Documentation is maintained for waivers of physical examinations by participant. [ ] Yes [ ] No
- (2) Documentation is maintained for the provision of complaint procedures to participants. [ ] Yes [ ] No
- (3) Documentation is maintained for eligible determinations and re-determinations. [ ] Yes [ ] No
- (4) Documentation is maintained for terminations and the reasons for such terminations. [ ] Yes [ ] No

Please provide additional information if you checked No: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



NEW YORK STATE OFFICE FOR THE AGING  
Attachment 2 TITLE V  
**OLDER AMERICAN COMMUNITY SERVICE EMPLOYMENT PROGRAM**  
**FINAL ALLOCATION SCHEDULE**  
PROGRAM PERIOD 7/1/2011 TO 6/30/2012

<u>COUNTY</u>	<u>POSITIONS</u>	<u>ALLOCATION</u>
Albany	7	\$64,457
Allegany	0	0
Broome	0	0
Cattaraugus	0	0
Cayuga	0	0
Chautauqua	4	36,833
Chemung	0	0
Chenango	0	0
Clinton	13	119,707
Columbia	0	0
Cortland	3	27,625
Delaware	0	0
Dutchess	0	0
Erie	28	257,830
Essex	7	64,457
Franklin	10	92,082
Fulton	3	27,625
Genesee	3	27,625
Greene	0	0
Herkimer	0	0
Jefferson	3	27,625
Lewis	3	27,625
Livingston	0	0
Madison	0	0
Monroe	17	156,539
Montgomery	0	0
Nassau	0	0
Niagara	4	36,833
Oneida	7	64,457
Onondaga	11	101,290
Ontario	3	27,625
Orange	0	0
Orleans	0	0
Oswego	0	0
Otsego	0	0
Putnam	0	0
Rensselaer	4	36,833
Rockland	5	46,041
St. Lawrence	3	27,625
Saratoga	4	36,833
Schenectady	4	36,833
Schoharie	0	0
Schuyler	0	0
Seneca	0	0
Steuben	0	0
Suffolk	0	0
Sullivan	3	27,625
Tioga	3	27,625
Tompkins	3	27,625
Ulster	0	0
Warren/Hamilton	0	0
Washington	0	0
Wayne	4	36,833
Westchester	29	267,038
Wyoming	3	27,625
Yates	4	36,833
New York City	414	3,812,193
Seneca Nation	0	0
St Regis Mohawk	0	0
<b>TOTAL</b>	<b><u>609</u></b>	<b><u>\$5,607,797</u></b>



## Attachment 4 - Title V Standard Assurances

1. The \_\_\_\_\_  
Subgrantee Agency

submits this application under Title V of the Older Americans Act, as amended, and agrees to comply with United States Department of Labor's (USDOL) regulations, and New York State Office for the Aging's (NYSOFA) policies and procedures. The subgrantee assures and certifies that it will:

- a. provide community service assignments only for eligible individuals. Necessary technical, administrative and supervisory personnel shall, as much as possible, be recruited from among eligible individuals;
- b. provide community service assignments for eligible individuals in the community in which they reside, or in nearby communities;
- c. assign eligible individuals in services related to publicly owned and operated facilities and projects, or projects sponsored by organizations, other than political parties, exempt from taxation under the provisions of section 501(c)(3) of the Internal Revenue Code of 1954, except projects involving the construction, operation, or maintenance of any facility used or to be used as a place for sectarian religious instruction or worship;
- d. assure that no otherwise qualified older person with a disability or perceived to have a disability shall, solely by reason of this disability, be excluded from participation in, be denied benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. A person with a disability is defined as any person who has a physical or mental impairment which substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such impairment. This includes alcoholism and drug addiction;
- e. not deny community service assignments to any person with a disability if reasonable accommodations can be made for that person's disability;
- f. contribute to the general welfare of the community in a manner that will:
  - result in an increase in employment opportunities over those opportunities which would otherwise be available,
  - not result in the displacement of currently employed workers (including partial displacement, such as a reduction in the hours of non-overtime work or wages or employment benefits), and

- not impair existing contracts for service or result in the substitution of federal funds in connection with work that would otherwise be performed;
- g. not employ or continue to employ any participant to perform work which is the same or substantially the same as that performed by any other person who is on layoff;
- h. utilize methods of recruitment and selection (including notifying the state employment security agency when vacancies occur) which will assure that the maximum number of eligible individuals will have an opportunity to participate in the project;
- i. include such training as may be necessary to make the most effective use of the skills and talents of those individuals who are participating, and will provide for the reasonable expense of individuals being trained, including reasonable compensation for time spent in training. Wherever possible, obtain all training for participants at reduced or no cost to Title V from such sources as the host agency, Workforce Investment Act (WIA) and the Carl D. Perkins Vocational and Applied Technology Education Act. Where training is not available from other sources, the Title V funds may be used for training;
- j. assure that safe and healthy conditions of work will be provided, and assure that persons engaged in community service assignments assisted under the grant shall be paid wages which shall not be lower than whichever is the highest of (1) the minimum wage which would be applicable to the employee under the Fair Labor Standards Act of 1938, (2) the state or local minimum wage for the most nearly comparable covered employment, or (3) the prevailing rates of pay for persons employed in similar public occupations by the same employer;
- k. establish and administer the grant with the advice of persons competent in the field of service in which employment is being provided, and of persons who are knowledgeable with regard to the needs of older persons;
- l. authorize pay for reasonable transportation costs of participants which may be incurred under the grant in accordance with 20 CFR, Section 641.545;
- m. assure that to the extent feasible, the needs of minority, limited English speaking, and Native American Indian eligible individuals are served, and individuals who have the greatest economic need, at least in proportion to their numbers in the geographic jurisdiction of the project and take into consideration their rates of poverty and unemployment based on the best available information;
- n. authorize funds to be used, to the extent feasible, to include individuals participating in the project under the State Unemployment Insurance Plan;



- c. it will comply with requirements of the provisions of the Uniform Relocation and Assistance and Real Property Acquisitions Act of 1970 (P.L. #91-646) that provides for fair and equitable treatment of persons displaced as a result of federal and federally assisted programs;
- d. it will comply with the provisions of the Hatch Act that limits the political activity of employees;
- e. it will:
  - (1) comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act as they apply to hospital and educational employees of state and local governments; and,
  - (2) it will otherwise compensate participants at a rate which is at least commensurate with the highest applicable minimum wage which is either the minimum wage applicable under the Federal Fair Labor Standards Act of 1938; the New York State minimum wage for the most nearly comparable covered employment, notwithstanding any exceptions which may otherwise apply; or the prevailing rate of pay for persons employed in similar public occupations by the same employer.
- f. it will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties;
- g. it will give the United States Department of Labor, the Comptroller General, the Office of the State Comptroller and NYSOFA, through any authorized representative, the access to and the right to examine all records, books, papers or documents related to the grant; and
- h. it will comply with the federal regulations governing grant administration as set forth in 20CFR Part 641, 29CFR Parts 95 through 99 and if the provisions of these regulations are amended or revised, comply with them or notify NYSOFA within thirty (30) days after promulgation of the amendments or revision that it cannot so conform, so that NYSOFA may take appropriate action, including grant termination, if necessary.

**6. Recognition of NYSOFA:** The subgrantee agrees that any program, public information materials or other printed or published materials on the work of such program that are supported with Older Americans Act funds will give due recognition to NYSOFA.

## 7. Additional Assurances:

- a. This project will provide useful part-time community service assignments for **unemployed** low income persons who are 55 years old or older while promoting transition to unsubsidized employment.
- b. The project subgrantee will recruit and select eligible individuals in sufficient numbers to fill promptly and keep filled to the extent feasible all authorized slots. Enrollment priorities for filling all positions shall be to individuals with the following characteristics:
  - (1) have a severe disability;
  - (2) are frail;
  - (3) are age 65 or older;
  - (4) meet the eligibility requirements related to age for, but do not receive, benefits under Title II of the Social Security Act.;
  - (5) live in an area with persistent unemployment and are individuals with severely limited employment prospects;
  - (6) have limited English proficiency;
  - (7) have low literacy skills;
  - (8) are veterans who meet the criteria of the Jobs for Veterans Act;
  - (9) have low employment prospects;
  - (10) have failed to find employment after utilizing services provided under Title I of the Workforce Investment Act of 1998;
  - (11) are homeless or at risk for homelessness;
  - (12) reside in a rural area; or,
  - (13) have a disability.
- c. Eligibility criteria set forth in Sec. 641.500 shall apply to all SCSEP applicants and participants:
  - (1) each individual will be no less than 55 years of age. Selection of trainees will be on the basis of priorities set by federal regulation (Section 641.520, 641.525, 641.530); and no upper age-limit may be applied;

- (2) each trainee will reside within New York State;
  - (3) Unemployed at time of application; and
  - (4) Family income may not exceed 125% of the Federal Poverty Level.
- 8. a.** The income of the family of which the individual is a member shall not exceed the low income standard defined in Section 641.500 and issued by the Department of Labor and shall be applied to individuals seeking initial enrollment and re-enrollment after termination from SCSEP because of loss of unsubsidized employment through no fault of their own, including illness, and to each trainee seeking certification for continued enrollment.
- b.** Each project subgrantee shall recertify the income eligibility of each trainee at least once each project year between July 1 and June 30 according to the schedule in this project agreement.
- 9.** Trainees will be offered the opportunity to take a physical examination within 60 days of enrollment and annually in accordance with Section 641.565.
- 10. a.** Orientation shall be provided to the trainee as soon as practicable after determination of eligibility. The orientation shall include information on term limits, project objectives, community service assignments, training, supportive services, rights and duties of the trainee, permitted and prohibited political activities, plans for transition to unsubsidized employment and a discussion of safe working conditions at the host agency.
- b.** Orientation shall be provided to those individuals who will supervise trainees at the host agencies.
- 11.** The project subgrantee shall assess each new trainee to determine the most suitable community service assignment for the individual and to identify appropriate employment, training and community service objectives for each individual. The assessment shall be made in partnership with the new trainee in accordance with Section 641.535. Assessments shall be done at least two times during a twelve month period to determine the trainee's potential for transition to unsubsidized employment. Assessments shall be documented and made a part of the trainee's permanent record. Assessments and service strategies or individual employment plans of a trainee, prepared under the Workforce Investment Act of 1998 may be substituted for one prepared by the subgrantee.
- 12.** The project subgrantee shall use the assessment or reassessment as a basis for developing or amending an Individual Employment Plan (IEP). The IEP shall be developed in partnership with the trainee to reflect the needs, interests and desires of the participant (Section 641.535). The subgrantee shall review the IEP at least twice in a 12-month period.

13. It is suggested, but not mandated, that Community service assignments provided by a project subgrantee or project subgrantees not exceed 1,300 hours including paid hours of: orientation, training, and sick leave (if provided as a fringe benefit) during the 12-month period beginning with the date of enrollment or the yearly anniversary date of enrollment.
14. The project subgrantee shall employ reasonable means to place each trainee into unsubsidized employment, as provided to them in Attachment 3. Whenever the goal is not achieved, the subgrantee shall develop and submit a plan of action for addressing this shortfall.
15. The project subgrantee shall employ reasonable means to place at a minimum the number of individuals communicated to them by NYSOFA into unsubsidized employment. Whenever the goal is not achieved, the state may ask the subgrantee to develop and submit a plan of action for addressing this shortfall.
16. Follow up will be completed and documented for trainees who are placed in unsubsidized employment at least once within three (3) months of unsubsidized placement.
17. The project subgrantee shall ensure that all participants, including those hired by subcontractors, receive all the fringe benefits required by law and will ensure compliance with NYSOFA's wage and fringe benefits policy.
18. The project subgrantee shall ensure that all reporting requirements are completed based on reporting requirements provided by NYSOFA.
19. Consultant fees paid under this grant shall be limited to \$500 per day without additional NYSOFA approval.
20. Term Limits:
  - a. The project grantee shall ensure that, beginning July 1, 2007, the maximum time a trainee is enrolled in the program is no longer than forty eight (48) months.
  - b. The project grantee shall ensure that, beginning July 1, 2011, that the average amount of time all trainees are in the program is no more than twenty-seven (27) months.
21. Terminations:
  - a. This grant agreement may be terminated at any time upon mutual written consent of the State and the Grantee.
  - b. The State may terminate the grant agreement immediately, upon written notice of termination to the Grantee, if the Grantee fails to comply with the terms and conditions of this grant agreement and/or with any laws, rules, regulations, policies or procedures affecting this grant agreement.

- c. The State may also terminate this grant agreement for any reason in accordance with the following provisions:
  - I. Unless modified as provided herein, this grant agreement shall begin on July 1, 2011 and end on June 30, 2012. The State shall have the right to terminate this grant agreement early for: (i) unavailability of funds; (ii) cause; or (iii) convenience. The State retains the right to cancel this grant agreement, in whole or in part without reason provided that the Grantee is given at least 60 days notice of its intent to cancel. The State may only invoke its right to terminate for convenience provided that the State has given written notice to the Grantee at least 60 days prior to the date of termination, except with respect to grant agreements that give the State a general right to terminate at any time. This provision should not be understood as waiving the State's right to terminate the contract for cause or stop work immediately for unsatisfactory work, but is supplementary to that provision. Any such cancellation shall have no effect on existing State grant agreements, which are subject to the same 60 day discretionary cancellation or cancellation for cause by the respective user Agencies.
  - II. The Grantee shall make a full and final accounting of all funds received under this grant agreement within sixty (60) days of termination of the program.
- d. Written notice of termination, where required, shall be sent by personal messenger service or by certified mail, return receipt requested. The termination shall be effective in accordance with the terms of the notice.
- e. Upon receipt of notice of termination, the grantee agrees to cancel, prior to the effective date of any prospective termination, as many outstanding obligations as possible, and agrees not to incur any new obligations after receipt of the notice without approval by the State.
- f. The State shall be responsible for payment on claims pursuant to services provided and costs incurred pursuant to terms of the grant agreement. In no event shall the State be liable for expenses and obligations arising from the program(s) in this grant agreement after the termination date.