COMMUNITY WORKS PROGRAM POLICY

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I. BACKGROUND

The Washington State Legislature established the Community Works Program during the WorkFirst Re-Design of 2011. This legislation authorizes the Department of Commerce (Commerce) to administer the Community Works Program as part of Washington State's WorkFirst Program.

The Community Works Program assists Washington State WorkFirst in attaining the federal participation rates as established by the Deficit Reduction Act (DRA) of 2005.

The Fair Labor Standards Act (FLSA) rules apply to participants in unpaid work activities. Participants must have Labor and Industry Insurance coverage and cannot be required to work more than their TANF grant plus food stamp benefits divided by the state/local minimum wage each month. This is called the "FLSA maximum hours". The FLSA maximum hours that a participant can work each month will be calculated by DSHS staff and displayed in eJAS and visible to Contractor staff.

Under the new federal TANF rules, participants who work the FLSA maximum hours will meet the federal core activity hour requirement. In these cases, once the participant works the FLSA maximum hours, DSHS will round the hours up to meet the 20-hour core activity requirement which is called "deeming".

II. POLICY

The Community Works program is an unpaid work experience program that is structured to provide a core work activity for WorkFirst participants that count toward federal participation and builds work ethics, soft skills, and work skills.

The Community Works program establishes a non-profit, tribal, or government agency worksite for the participant to obtain the specific skills, training, knowledge, and experience necessary to obtain employment in the participant's chosen career field. Placement into the Community Works program must consider the participant's personal employment goal to determine an appropriate worksite.

Community Works is intended to provide employment experience that supports a participant's personal employment goals and counts toward federal participation. Community Works placements must be a minimum of five (5) hours per week. Participants will be enrolled in their work activity for a minimum of one (1) month to a maximum of twelve (12) months. Examples of Community Works referrals are for participants who are:

- Employed less than 32 hours per week;
- Participating in other activities, but need additional hours to meet

  WorkFirst participation requirements;
- Transitioning between activities;
- Need a beginning level of activity for very hard-to-serve families whose participation capabilities are limited;
- Need additional support for re-training or additional experience to be competitive in the labor market;
- Have the ability to participate at least five hours per week;
- Need an activity to cure a Non-Compliance Sanction Termination; or
- Engaged in an education pathway and training that is **not** provided by a community or technical college.

Prior Commerce Program: Upon receipt of a referral, if a previous Commerce Program Individual Development Plan or Career Plan has been created, Contractors must obtain approval from the Board to re-enroll the participant. Upon the 3rd plan created for any combination of programs within the same fiscal year must be sent to the Board for Commerce approval. If a participant changes programs but stays at the same worksite in the same position, the Board will not pay the Program Start Date pay point again. If the participant changes programs but stays at the same worksite in a different position, the Board will pay the Program Start Date pay point. If a participant changes programs and switches worksites, the Board will pay the Program Start Date pay point.

TANF Status: A participant can participate in the Community Works program if their TANF status is 'Pending' and if they meet the other eligibility requirements.

Deeming: A participant in the Community Works Program activity may ONLY work the total number of deemed hours a week that is noted in eJAS, not to exceed 40 hours per week. In a two-participant household where both participants are participating in a Community Works Program, the total deemed hours must be split between the two participants.

Orientation: An orientation of the Community Works Program will be provided to all participants and Worksite Supervisors that will include but is not limited to, an overview of the program and incentive policies, and expectations.

Job Descriptions: Work assignments must have a job description that clearly details the work schedule, duties, and transferable hard and soft skills being obtained. This information must be entered into the Career Plan for the participant's signature. Copies of the signed job description must be provided to the participant, and the Worksite Supervisor, **and** maintained in the participant's file.

Attendance Records/Logs: Attendance records/logs must be reviewed to ensure the accuracy of countable activities, information, and hours. Case managers must sign and date each attendance record/log indicating a complete review. Absences excused and unexcused, and Holiday hours will be accurately recorded in the Monthly Participation Screen. Any absences reported in the Client Monthly Participation Screen must have a coinciding case note documenting the reason for the excused/unexcused absence. Reporting of Actual Hours must be entered in 'one-week' timeframes with weeks starting on a Sunday and ending on a Saturday.

Immediate Notify: Should be used after two absences in one calendar month, as per the requirements of the WorkFirst Handbook. In the immediate notify case note, document what, if any, action is needed by DSHS.

Monthly Contact with Worksite Supervisor: Monthly contact with the worksite supervisor is required. Contact can include in-person conversations, worksite visits, email, or over the phone. Documentation must include the method of contact and a summary of the conversation. Monthly contact should also include follow-up on any issues identified in the worksite evaluation.

On-Going Case Management: Participant contact should occur at least twice per month for the duration of the program. Contact with the participant is defined as an interaction, an opportunity to dialogue. It can be in person, an email, or over the phone. Monthly case notes will document contact with the participant and entries should include a summary of all contact, conversation, worksite visits, emails, or phone calls.

Sick Leave: Sick Leave will not be available to Community Works participants. Any missed work must be reported to DSHS in eJAS as soon as possible.

Emergency/Personal Leave: Emergency/Personal Leave will not be available to Community Works participants. Any missed work must be reported to DSHS in eJAS as soon as possible

Unscheduled Worksite Closure: If a worksite experiences an unscheduled closure

(for example, closure due to inclement weather, power failure, disaster, etc.), Community Works Program participants can use an "Excused Absence" for the hours missed. As will all absences in the Community Works Programs, hours should be made up during the month if possible due to the limited number of allowable excused absences.

Scheduled Worksite Closure: If there is a scheduled worksite closure (i.e., construction), the participant should work with the worksite supervisor and case manager to make up for the time missed.

Holiday Hours: Participants normally scheduled to work on a day that a State Legal Holiday falls on will be given participation credit for the number of hours scheduled. These hours will be entered in the eJAS Client Monthly Participation Screen Holiday section. Participants cannot be required to work on State Legal Holidays and are not required to make up time missed due to holidays.

The following are legal state holidays:

- New Year's Day: The first day of January.
- Martin Luther King's Birthday: The third Monday of January.
- Presidents' Day: The third Monday of February.
- Memorial Day: The last Monday of May.
- Juneteenth: The nineteenth day of June.
- Independence Day: The fourth day of July.
- Labor Day: The first Monday in September.
- Veterans' Day: The eleventh day of November.
- Thanksgiving Day: The fourth Thursday in November.
- The day immediately following Thanksgiving Day.
- Christmas Day: The twenty-fifth day of December.

For state holidays that fall on a weekend:

- Whenever any legal holiday falls upon a Sunday, the following Monday shall be the legal holiday.
- Whenever any legal holiday falls upon a Saturday, the preceding Friday shall be the legal holiday.

Worksite Contract: The Community Works Worksite Contract (Attachment 1) shall be used for the Community Works Program placements. The Contract format may be revised provided the content is not altered and has been pre-approved by the Board.

Hold: If a participant starts on the Community Works worksite and a situation arises that requires them to be temporarily removed from the Community Works Program, a case staffing should be held with the WorkFirst partners. Contractors will complete the hold section of the Community Works Career Plan, close the WC component by entering the actual end dates, and refer the participant back on the Contractor caseload screen.

Reasons for a temporary hold could include:

- Child Care
- Drug & Alcohol Assessment/Short-Term
- DSHS Requested
- Emergency Travel
- Family Emergency
- Homeless/Housing Needs

- Legal Issues – Other, including Jury Duty
- Legal Issues – Short-Term Incarceration
- Long-Term Jury Duty
- Medical Illness
- Pending Assessment
- Pregnancy
- Temporary Unsubsidized Employment

Once the hold issue has been resolved, the participant should resume their Community Works Program. Contact the Board to have the plan re-opened.

Support Services: Contractors may provide support services related to work activities. Prior to authorizing support services, Contractors must review the eJAS Payment History to ensure the guidelines for the category have not been exceeded.

III. STACKED ACTIVITIES

During the Community Works Program, the Contractors will work with participants that need to develop more employability skills. Community Works unpaid worksite hours can be used to bring a participant up to full-time participation when the education hours aren't enough.
DSHS determines and is responsible for Community Works stacked activities. Stacked activities in the WC program cannot be coded with the Commerce Contractor's code.

Monthly Updates: Career Plan entries must include the paper worksite evaluation. Additional information or documentation of why the participant left the program and supervisor contact can also be added.

Evaluations must be received and maintained in the participants' files to claim payment. Timesheets must document at least one (1) hour of participation in a calendar month to claim payment.

IV. EXITS FROM PROGRAM

Staff must notify the DSHS WorkFirst Program Specialist/Social Worker via eJAS at the completion of the program or anytime the participant is referred back and enters a case note documenting the reason the participant is leaving the program as well as their suggestions for the next steps for the participant.

The Contractor will close the Career Plan using the last day the participant worked, which should be documented on the timesheet as the end date. When the participant is no longer involved in the program, complete the Exit Date and Code in the Career Plan.

Required for all Exits:

The exit date is the last date on the worksite unless there is a clear case note documenting communication with the participant to place at a new worksite.

Notify the DSHS WorkFirst Program Specialist of the completion of the participant's WC Program.

Refer the participant back to the DSHS WorkFirst Program Specialist via the eJAS Contractor Caseload Screen.

If the WC component is closed out by DSHS prior to the case manager having the opportunity to refer the component back, a case note will be entered that states the participant is no longer in the program and will also include the date the participant was last engaged in the program.

V. RESUME AND COMPLETE

A resume and complete only apply if the participant is returning to the same provider, the participant is going to a new provider within the same consortium, and/or if it has been six (6) months or less since the participant left the program and there are at least three (3) months remaining in the program. Contractors are required to contact the Board to request the plan to be reopened.

VI. INCENTIVES

Community Works participants who are enrolled at a worksite are eligible to receive up to two non-cash financial incentives during their program. These incentives are in the form of store-specific gift cards issued of the participants choosing and do not affect the status of the participants' TANF grant. Participants must achieve 80% of their scheduled hours to receive an incentive. Attendance rate includes participation and holiday hours. It does not include excused or unexcused absences. Subcontractors are responsible for tracking and confirming a Community Works participant is eligible to receive the first and second non-cash incentives. Attachment 3, Community Works Incentive Tool, may be used to calculate when 80% of scheduled hours are met.

The first incentive received is based on 30 consecutive days and begins on the first day at the worksite. If the participant does not achieve 80% of their scheduled hours in the first 30 days, the "Incentive Clock Start Date" will re-start. The participant will need to complete an additional 30 consecutive days at 80% participation to receive the first incentive.

Once a participant has received the 30-day incentive, the participant is eligible to work toward the 90-day incentive. The 90-day incentive is a cumulative 80% participation for 60 days, beginning on the first day after the completion of the 30-day incentive. If the participant does not achieve 80% of their scheduled hours in the next 60 days, they will need to complete an additional 60 consecutive days at 80% participation to receive the second incentive. The initial 30 days will not need to be repeated as they have already met that requirement and received that incentive. If the Community Works participant has successfully completed the 30-day incentive goes on hold, and

then comes back as a resume and complete, the day the participant starts back at the worksite would start the 90-day incentive clock.

ATTACHMENTS

- Attachment 1: Community Works Program Worksite Contract
- Attachment 2: Unpaid Universal Timesheet
- Attachment 3: Community Works Incentive Tool