

**State of Montana**  
**Senior Community Service Employment Program (SCSEP)**  
**Program Years 2016 - 2019**

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## **SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) STATE PLAN**

The State Senior Community Service Employment Program (SCSEP) is administered by the Montana Department of Labor and Industry. It serves unemployed low-income persons who are age 55 and older and who have poor employment prospects. The program provides training in part-time community service assignments, and it assists program participant in developing skills and experience to facilitate their transition to unsubsidized employment.

### **Purpose**

The purpose of the plan is to outline a four-year strategy for the statewide provision of community service employment and other authorized activities for eligible individuals under the Senior Community Service Employment Program (SCSEP). The state plan is intended to foster both short-term and long-term coordination among various organizations and key stakeholders. Section 503 of the Older Americans Act requires the Governor, or the highest government official in each state to submit a state plan. The plan must include a four-year strategy for statewide provision of community service training and other authorized activities for eligible unemployed low-income seniors. Currently the SCSEP State Plan for Program Years **2016 – 2019** is being submitted as an independent document however this document may be incorporated into the Montana Workforce Innovation and Opportunity Act Combined State Plan.

SCSEP also has an important role in helping to promote healthy aging and civic engagement. Many program participants are faced with increasing financial hardship that commands income subsidizes to help them to remain independent within their communities.

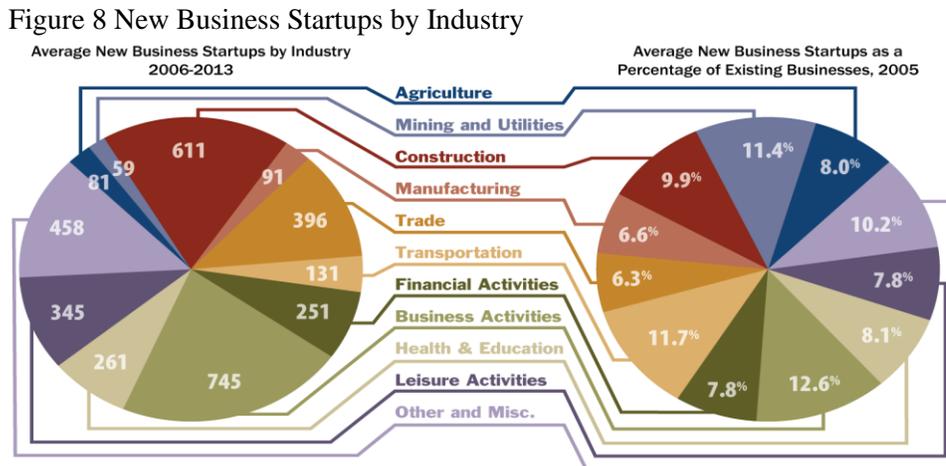
### **(a) Economic Projections and Impact**

#### **Discuss long-term projections for jobs in industries and occupations in the State that may provide employment opportunities for older workers.**

According to the Research and Analysis Bureau in the Department of Labor and Industry the State of Montana WIOA Combined Plan Montana is expected to add roughly 7,800 jobs per year in 2015 and 2016 at a rate of 1.6%, then slow to job growth of 5,950 jobs per year from 2017 to 2024. The faster growth in the near term is expected as a continuation of the strong job growth Montana has experienced in recent years, with the worker shortage slowing growth in the long-term to only 1.1%. Although slower than recent years, the 1.1% pace in the long term is just slightly above the long-term employment growth average of 1% annually since 1980.

The health care industry is expected to have the highest job demands, requiring 1,300 jobs per year through 2024. Mining, professional and technical services, and construction are expected to grow the fastest in percentage terms. Professional and technical services is expected to be Montana's fastest growing industry in percentage terms, adding an average of 600 jobs per year for the next ten years. The growth of Montana's professional and technical service industry represents the emergence of a knowledge-based service sector, which generally provides higher wage, professional jobs with good benefits.

New business startups occur in every industry in Montana, with business activities and construction having the largest number of business startups among industries. **Figure 8** illustrates the business startups by industry, showing both in the average number of new businesses per year from 2006 to 2013 and the startup rate as a percentage of existing businesses. Even though construction has an average of 611 startups per year, there are a large number of construction firms, placing this industry in the middle for startups as calculated as a percent of existing businesses. The highest startup rates are found in the business activities, transportation, and mining sectors.



**Discuss how the long-term job projections discussed in the economic analysis section of strategic plan relate to the types of unsubsidized jobs for which SCSEP participants will be trained and the types of skill training to be provided.**

Montana’s SCSEP sub-recipient will continue to coordinate with one-stops and community sources as well as stepping up the communication and coordination with employers to identify training opportunities and subsequent unsubsidized employment based on the economic analysis by Research and Analysis.

While Montana is challenged with an aging workforce and the lack of young people to replace retiring workers, some of those in the aging workforce are finding that they need to work to supplement their social security or their retirement. Priority will be to identify opportunities in the emerging businesses linked to health care and support services and to place program participants into long-term, economically stable employment on a regular basis.

**Discuss current and projected employment opportunities in the State (such as by providing information available under §15 of the Wagner-Peyser Act (29 U.S.C. 491-2) by occupation), and the types of skills possessed by eligible individuals. (20 CFR 641.325(c))**

Montana’s economy outperformed the nation again in 2014, with rapid wage increases, strong employment growth, and declining unemployment. Wage and employment growth has occurred throughout Montana, with the western half of Montana strengthening growth to rebalance the economy

geographically. The decline in oil prices has impacted our state, slowing growth in the Eastern region of Montana in particular, but the economy is resilient and diversified enough to withstand these changes. Data from the first half of 2015 suggests Montana's economy has already overcome the challenges of low commodity prices, and is finding opportunity in other industries and areas.

The Montana DLI continues to take the lead in addressing the worker shortage and other issues faced by the Montana economy. The department will continue to partner with businesses to address worker shortages, developing apprenticeships and other programs to ensure workers are quickly trained with the right skills for today's economy. Workers will need to take advantage of these training programs to continuously upgrade skills.

Generally SCSEP participants have little or poor work history with very little skills, therefore the types of skills available among the eligible populations will have direct implications for recruiting host agencies; the types of training positions available at host agencies; skill training offerings that the grantees can locate or develop; and other training linkages. The focus is to prepare older workers for these jobs through community service placements as well as coordinating and co-enrolling, as appropriate, with WIOA Title I programs or other programs such as Vocational Rehabilitation in order to provide older workers the opportunity for the occupational skills training to help participants obtain the skills needed for these jobs. SCSEP participants also register at Job Service Workforce Centers where they can benefit from Wagner-Peyser job search and placement programs.

(b) Service Delivery and Coordination

**Planned actions to coordinate activities of SCSEP grantees with WIOA title I programs, including plans for using the WIOA one-stop delivery system and its partners to serve individuals aged 55 and older. (20 CFR 641.302(g), 641.325(e))**

The SCSEP Plan guides the strategies that for helping older workers obtain meaningful community service assignments and training leading to unsubsidized employment. SCSEP subrecipient (Experience Works) staff works to achieve integration of SCSEP with WIOA Title I adult and dislocated worker programs, Wagner-Peyser programs, local employers, Montana Chamber of Commerce, and other partners to ensure that training and employment strategies are based on local market conditions. Experience Works staff works to achieve equitable distribution requirements; promote the benefits of hiring older workers; improve the availability of employment and training options; and increase placement and retention of older workers. Experience Works currently maintains a collocated office location within the Helena Workforce Center and ETCs provide SCSEP services via regularly scheduled hours at Montana Job Service Workforce Centers. Experience Works maintains Memorandums of Understanding (MOU's) include WIA Title I service providers in Billings, Lewistown, Havre, Great Falls, and the Rocky Mountain Front.

Position is Currently Vacant	Helena Job Service Workforce Center Bozeman Job Service Workforce Center Butte Job Service Workforce Center
Linda Lang, ETC	Billings Job Service Workforce Center Miles City Job Service Workforce Center Wolf Point Job Service Workforce Center Glendive Job Service Workforce Center
Mardi Milligan, ETC	Great Falls Job Service Workforce Center Kalispell Job Service Workforce Center
Russ Johnson, ETC	Missoula Job Service Workforce Center Hamilton Job Service Workforce Center Ravalli Job Service Workforce Center Lake Job Service Workforce Center Lincoln Job Service Workforce Center Saunders Job Service Workforce Center

As a required partner of the one-stop system SCSEP coordinates with the one-stop centers and programs under WIOA in their areas and works closely with their one-stop partners to ensure older individuals are receiving services.

One-stop centers provide a great opportunity for older individuals to explore the many options available to them including career services, referral to employment opportunities or other services such as training services offered through WIOA Title I programs and help prepare them for employment. Participants are required to register at the one-stops and co-enrollment of SCSEP participants in WIOA Title I programs is encouraged when appropriate. Participants are encouraged to take advantage of job search and resume writing workshops and other courses held at Job Service Workforce Centers. Staff in the workforce centers can offer their expertise in assisting seniors search for job openings where the job requirements are consistent with their knowledge and skills; and by providing referrals to employment opportunities. Partners are asked to assist with outreach and recruitment efforts to targeted and hard to serve populations. SCSEP subrecipient staff and participant openings are advertised with the Montana Job Service Workforce centers. The centers also provide referrals to public assistance programs, vocational rehabilitation, and veterans' programs.

Job Service Workforce Centers also serve as host agencies for training SCSEP participants.

**Planned actions to coordinate activities of SCSEP grantees with the activities being carried out in the State under the other titles of the Older Americans Act (OAA).**

Montana's SCSEP grantees will continue partnerships with programs under OAA and USDOL to help older workers including:

- AARP-pedometer program
- AARP-grandparents raising grandchildren, particularly helps American Indians

- Information, Assistance and Referral Program links Montana seniors, their family members, caregivers, and local professionals;
- Adult Protective Services;
- Transportation Advisory Councils-Ticket to Work
- Office on Aging provides meals on wheels, health services, transportation, information referral and assistance services;
- Community Services-sharing job site information
- Area Agencies on Aging-job site information
- Department of Labor-program guidance, help with performance measurements;
- Job Service Workforce Centers pre-testing and registration for Wagner-Peyser services;
- Possible job opportunities at Area Agencies on Aging, Walgreens, and U.S. Census
- State Workforce Investment Board
- MT Assoc. of County Commissioners
- Montana Commissioner of Labor
- AFL/CIO
- HRDC Directors
- Rocky Mountain Development Council
- Job Service Workforce Centers
- Public and Private nonprofit agencies providing employment services (Helena Industries and WESTAFF)
- Communities-independent living centers plus state (SLIC), host agencies
- Senior Centers
- AARP
- Community Services Bureau, SLTC
- Working for Equality and Economic Liberation (WEEL)
- Veterans Services
- Department of Corrections-prerelease centers
- Vocational Rehabilitation
- Services for the Blind
- American Indian Tribes

Planned activities to coordinate with OAA:

- Health fairs and senior wellness activities throughout the state
- Continued partnerships with Aging Services
- Attend and/or participate in Governor's forum on aging
- Attend conferences and seminars that pertain to aging services
- Connect homeless with services available

**Planned actions to coordinate SCSEP with other private and public entities and programs that provide services to older Americans, such as community and faith-based organizations, transportation programs, and programs for those with special needs or disabilities. (20 CFR 641.302(i))**

Aging often decreases people's ability to remain independent. Montana's SCSEP subrecipient works with host agencies and employers to develop reasonable accommodations that will allow those with disabilities to work and be successful in the SCSEP training assignment or in an unsubsidized job following training. The SCSEP provider will continue to work with the Aging/Disability Resource Centers.

Front-line staff is provided training to sensitize them to the needs of those with disabilities. Recruitment methods are carefully worded so as not to discourage the older person with a disability from making application for SCSEP services. There have been many years of coordination between the Rehabilitation Services, State Services for the Blind, and Veterans services for referrals and providing of services to help the older Montanans succeed in the job market. The staff will also provide technical assistance to employers on ADA (Americans with Disabilities Act) requirements and available tax credits for hiring older workers. SCSEP participants have access to Disability Resource Coordinators that are located in each Job Service Workforce Center to help them navigate the system. The Ticket-to-Work program will also be used as appropriate.

Medicaid waivers are another venue for the SCSEP participants. The waivers allow people to remain in their homes rather than live in an institution. Various services from respite to transportation and personal care are offered. The care giver can be paid if the care giver is not the legal guardian of the recipient. This could be especially beneficial on the Indian reservations.

**Planned actions to coordinate SCSEP with other labor market and job training initiatives. (20 CFR 641.302(j))**

SCSEP has not participated in planning processes to apply for DOL-funded industry training initiatives but is certainly open to collaborating and participating in planning efforts for grant applications and regional initiatives should those opportunities arise.

**Actions to ensure that SCSEP is an active partner in the one-stop delivery system and the steps the State will take to encourage and improve coordination with the one-stop delivery system. (20 CFR 641.335)**

Community Management Teams (CMTs) play a vital role in ensuring that SCSEP is connected to the broader Montana workforce system. Experience Works actively participates in CMTs to improve coordination of services among the various organizations engaged in older worker initiatives that result in employment for older workers. Plays a lead role in Montana's workforce system and in the development and implementation of Montana's strategies to address the issues of older workers. The Experience Works' participation in CMTs ensures that SCSEP activities are aligned with Montana's workforce system priorities for older workers.

Experience Works, uses the one-stop centers for office space, referrals, training, and computer access wherever possible. Experience Works maintains a collocated office location within the Helena Workforce Center and ETCs “hotel” via regularly scheduled hours at the following Montana Job Service offices: Billings, Miles City, Glendive, Sidney, Wolf Point, Helena, Bozeman, Butte, Livingston, Dillon, Anaconda, Great Falls, Kalispell, Glasgow, Cut Bank, Havre, Lewistown, Shelby, Missoula, Hamilton, Libby, Thompson Falls and Polson. Both the federal and state SCSEP programs are integrated with the workforce centers in Montana and are able to provide timely access and information regarding employment and training resources designed specifically for seniors.

Employment and Training Coordinators share information and ideas with public and private social service providers to increase the seamless integration of older workers into Montana workforce investment system and workforce.

Experience Works currently has an office in the Helena Job Service Workforce Center. The value of each entity within the One Stop system working to assist and improve the lives of SCSEP participants clearly enhances the likelihood of employment when training is complete. Additionally, networking within the One-stop system increases the understanding of how each program can benefit all workers.

**Efforts to work with local economic development offices in rural locations.**

Community service includes worksites in economic development. Economic development is part of the one-stop system and are often members of the Community Management Teams in several areas across the state including the more rural locations in Montana. SCSEP staff are also part of the Community Management Teams in this areas which presents them the opportunity to provide information to and recruit community service worksites through local economic development.

**The State’s long-term strategy for engaging employers to develop and promote opportunities for the placement of SCSEP participants in unsubsidized employment.**

Montana’s Job Service Workforce Centers have a close connection to employers which is beneficial for SCSEP when recruiting employers. Employer recruitment is a priority the same as training site recruitment and participant recruitment. Recruitment efforts include educating employers about the value in hiring older workers and the cost benefits to the employer’s business/organizations. Employers are encouraged to take part in a multitude of activities to assist older workers in their job search such as serving as trainers at job clubs and explaining the expectations and skills needed to work for their business or organization.

Building trust between the employers and SCSEP will result in benefits for both organizations but particularly for the older workers.

In addition to networking with the one-stop centers and membership on Community Management Teams, Experience Works Coordinators are involved with local Chambers of Commerce in order to reach out to the business community. Building relationships through networking leads to jobs for participants.

**The State's long-term strategy for serving minority older individuals under SCSEP.**

Montana SCSEP continues to focus on increasing Native American enrollments and placements. Experience Works, will continue its efforts to recruit participants from the minority groups by:

- identifying and working closely with community agencies, minority churches and organizations that serve multi-cultural populations;
- assigning participants to host training sites which serve to communicate with the minority population;
- inviting guest speakers from the minority community to participate in SCSEP workshops;
- asking participants, including minority individuals to make program referrals for family, friends and other contacts;
- advertising in local newspapers (including tribal newspapers whenever possible) and senior publications and classified ads;
- placing brochures and posters in One-Stop Centers, Post Offices, libraries, senior centers, social service agencies and other public places which older minority individuals frequent.

**A list of community services that are needed and the places where these services are most needed. Specifically, the plan must address the needs and location of those individuals most in need of community services and the groups working to meet their needs.**

Whenever demographic and economic data are made available SCSEP works with other Montana agencies to ensure they are serving those populations most in need. There are 217 authorized national positions and 56 authorized state positions in Montana for PY'15. Both national and state SCSEP services are available in ten Montana counties. The Montana localities/populations where SCSEP services are most needed are those that are often the hardest to serve: remote, rural, counties which have limited commerce, and, thus, limited prospects for employment. These counties make up the vast majority of the state, and the current variance situation for national and state grantees reflects this fact.

Collecting, monitoring and analyzing community service needs is an ongoing process. SCSEP's service to a community is based primarily on the social and economic needs of the participants entering the program; and on the demand of the services within local communities.

Seniors with limited fixed income in good health and a willingness to work could benefit from doing community service, according to those who work with SCSEP. Specific senior populations that would benefit from community service work are those with time and energy, seniors over 65, ex-convicts, retired people especially farmers and ranchers, all age groups if capable of physical work, the unemployed and economically disadvantaged older persons.

Local community service needs include: mentoring in schools, working in prisons, jobs in tourist areas, cleaning road ditches, providing office support services, making signs, serving as job developers, doing flower enhancements along streets or in parks, serving as advisors to local businesses, cleaning rest areas, providing after-school programs for children and providing day care, receptionist for nonprofits, gift-shop attendants, service attendants for food pantries, jobs at clothing give-away programs and doing yard work. Community service requests also includes: clerks, janitors, cooks or teacher's aides in schools; clerical help (with some computer knowledge) for city, county, state and federal public agencies; cooks for nutrition sites; clerical assistants for small nonprofits (again with some computer skill); librarians in schools and towns; docents, historical researchers (again with some computer knowledge); custodians for museums in smaller communities; and maintenance workers for cities and towns and park and recreation areas.

The delivery of community services in rural locations is more difficult due to the low population density and large distances between participants in each county. The more remote or economically depressed the county, the more barriers exist. Additionally rural areas often have limited opportunities for community service assignments, training, and jobs.

SCSEP will continue to work with the Office of Senior Long Term Care/Aging Services, Montana's Workforce system, groups that provide services to people with disabilities and veterans, and other interested agencies as well as the business community to identify local community service project needs and the specific populations that will work on these projects.

Local community needs will be addressed in an ongoing manner. Utilization of a marketing and recruitment strategy is organized early in each grant year to identify potential host agencies to meet the training needs that match job openings in the communities and match with participant's needs and interests in training to gain employment.

**The State's long-term strategy to improve SCSEP services, including planned long-term changes to the design of the program within the State, and planned changes in the use of SCSEP grantees and program operators to better achieve the goals of the program. This may include recommendations to the Department as appropriate.**

The overall goal of SCSEP in Montana is to serve the eligible clientele by providing training opportunities that both improve or build skill levels and provide the training needed for jobs available in the community. The long-term goal is to assure that job matching is appropriate

for both the employer and older worker so that the relationship will be retained to the benefit of the employer, the older worker and the state's economy. Partnerships for integrating services are a key to these strategies. Attainment of negotiated goals for serving Montana's older worker population, increasing services within the network of nonprofits and public agencies within communities, and providing skilled workers for employers is a measure of successful service from the older worker program. Recommendations include the following:

- Help SCSEP participants attain the skills (such as computer and healthcare-related skills) to better fill the employment needs in the state;
- Work with and expand on the nonprofit agencies to provide meaningful community service assignments that fill a current need within the community;
- Work with businesses and nonprofit agencies to develop good training assignments where today's skills are learned on-the-job and unsubsidized employment will be the end result in more situations;
- Assist the business community in finding ways to attract and employ the older worker;
- Show businesses why this is beneficial to hire the older worker;
- Continue to be an active partner in Montana's one-stop systems;
- House SCSEP field personnel within the Montana One Stop Centers, wherever possible, throughout the state;
- Coordinate activities with WIOA programs and Montana One Stop Centers;
- Target services to Native Americans;
- Work more closely the WIOA 166 grantees such as the Blackfeet Manpower in Browning;
- Expand Area Agencies on Aging referrals;
- Place additional emphasis on creative partnerships with groups that advocate and provide services to people with disabilities and veterans;
- Expand coordination with the Ageing and Disability Resource Center (ADRC) program throughout the state;
- Expand relationships with Montana Chambers of Commerce

**The State's strategy for continuous improvement in the level of performance for SCSEP participants' entry into unsubsidized employment, and to achieve, at a minimum, the levels specified in OAA Section 513(a)(2)(E)(ii). (20 CFR 641.302(f))**

Targeting Jobs: Montana's SCSEP has been successful in placing participants in unsubsidized employment with community service agencies and especially with host agency training sites. A significant portion of SCSEP's unsubsidized placement can occur when the community service training sites hire SCSEP participants that have been training at the sites with emphasis on the value and benefits of hiring trained participants.

Continued partnerships with Montana's One-Stops: Experience Works monitors information on job opening and trends, through partnerships with the one-stops, that will help identify current and future regional job opportunities; establishes and maintains with Job Service

Workforce Centers, Vocational Rehabilitation Services, Social Services, Adult Services and Aging, and the Department of Education. Title V participants are assigned to these agencies as office assistants, resource room attendants, and custodial workers whenever possible.

Upgrading and maintaining participant skills: Participant training is a key ingredient to successful program performance as often the skills of the SCSEP participants are outdated and need to be upgraded to meet today's employment requirements. Qualities valued in the older worker such as work ethic and reliability are valued by most employers, but the need for specific skills in today's job market are crucial for success. The need for specific skills leads to training and retraining for SCSEP participants to help them become employable. In PY'14, the Montana Department of Labor and Industry, Montana's SCSEP Grantee, through coordination with the National Grantee Experience Works received Limited Competition funding to provide expanded training services to participants. Through the Limited Grant Opportunity funding, Montana provided more in-depth training to participants to increase computer literacy skills, soft skills, and occupational skills that gives them the opportunity to obtain industry recognized certifications needed for employment in today's high demand industries in order to market their skills effectively to employers and be in a position to negotiate for better paying jobs. The additional funding also allowed Experience Works staff to set up traveling computer labs and the software needed to provide training to a total of 40 State SCSEP participants during the grant period of July 1, 2014 through June 30, 2015. The expected outcomes are increased entered employment; employment retention; and increased salaries. In addition to the training opportunities through the grant, the funds allowed for more access to supportive services by participants such as transportation so they may participate in training and work towards successful program completion.

Montana received an extension through September 30, 2015 for the Limited Competition grant and the expectation is that Montana's performance will see an increase in entered employment and retention.

Ongoing Assessments of Skills: Experience Works uses an assessment tool called JobReady which includes on-line assessment and the Individual Employment Plan as well as training in a variety of skills, some at no cost to the individual and some for a fee. Completing these training courses can result in certification of skills following successful testing of the subject matter. A large number of participants have taken advantage of this training as it can be done at any time from any computer. Truck driver certification is made available to SCSEP participants that are willing and able to drive trucks, especially doing daily runs. There is an increased need for nursing and residential care providers, hospital workers, and ambulatory health care providers. The continued need for Certified Nurse's Aides (CNAs) is recognized by the SCSEP grantees. An assessment is made on each potential applicant for their interest and current skill level. Those that indicate an interest and limited skill level in doing the CNA work are further assessed on their physical ability to perform the job with additional training.

Maintaining partnerships with the business community: There is increased effort to gather input from the business community, community leaders, and host agency supervisors on the job skill needs within their organizations and participants themselves on the types of job openings they see in their communities. This input enables SCSEP grantees and the workforce community to provide more meaningful training opportunities for the older worker and find appropriate matches for unsubsidized job placement with a higher degree of retention.

Montana's SCSEP grantee monitors performance quarterly and provides technical assistance and training in areas needing improvement.

DLI expects to see continuous improvement in the performance areas of entry into employment and retention due in part to SCSEP's continued use of the computer labs, software and other training resources that continues to be made available to participants after the Limited Grant Opportunity funding period was over on September 30, 2015. The benefits to participants beyond the end of the Limited Grant Opportunity funding period include an already established training plan in place along with the established computer labs, training materials and increased staff expertise.

(c) Location and Population Served, including Equitable Distribution

**A description of the localities and populations for which projects of the type authorized by title V are most needed.**

Montana's SCSEP subrecipient has four ETC positions, one of which is currently vacant but the expectation is to fill that position as soon as possible. ETCs are located in Helena, Missoula, Billings and Great Falls. Each ETC has expertise in serving both urban and rural, to the **very** rural areas of the state. The coordinators are responsible for outreach and providing services to both state and national grantee participants within the counties in their area. Cascade, Flathead, Lewis and Clark, Missoula, Gallatin and Yellowstone counties are the most largely populated areas in the state. Montana also has seven reservations which presents a challenge due to their high unemployment and few opportunities for jobs. However three of them are located in or very near the most heavily populated counties which could be on the positive side for accessing jobs in those counties with larger cities. With the exception of Yellowstone County the largely populated counties are located in the western portion of the state. These heavily populated counties are also the most diverse in population. SCSEP Grantees work with other agencies within the state to ensure compliance in connecting localities and populations with projects authorized by Title V.

**List the cities and counties where the project will be conducted. Include the number of SCSEP authorized positions and indicate where the positions changed from the prior year.**

The following chart shows the Montana SCSEP cities and counties that have projects.

COUNTIES	CITIES	STATE AUTHORIZED POSITIONS
Big Horn	Pryor, Harden, Lodge Grass	2
Cascade	Great Falls, Cascade, Belt	5
Custer	Miles City, Lame Deer, Ashland	2
Flathead	Kalispell, Whitefish, West Glacier, Big Form, Coram	8
Gallatin	Bozeman, Belgrade	3
Lake	Polson, Elmo, Ronan, Pablo	5
Lewis & Clark	Helena, East Helena, Augusta, Lincoln	6
Missoula	Missoula, East Missoula, Frenchtown	11
Ravalli	Hamilton, Stevensville, Corvallis, Darby,	5
Yellowstone	Billings, Park City, Ballantine	9
<b>TOTAL AUTHORIZED STATE SCSEP POSITIONS</b>		<b>56</b>

There are a total of 273 authorized state and national positions in Montana for PY'15. Both State and National SCSEP authorized positions steadily decreased over the last few years however authorized positions remained the same for both programs in Program Years 2014 and 2015. Ten Montana counties have both national and state SCSEP services. Following the 2010 Census, there are five counties that are now authorized for zero positions to be served: Garfield, Golden Valley, Petroleum, Treasure and Wibaux counties. The following chart shows the State and National SCSEP grantee equitable distribution for PY'14 and PY'15.

COUNTY	STATE POSITIONS 2014	STATE POSITIONS 2015	NATIONAL POSITIONS 2014	NATIONAL POSITIONS 2015
Beaverhead	0	0	3	3
Big Horn	2	2	3	3

Blaine	0	0	3	3
Broadwater	0	0	2	2
Carbon	0	0	4	4
Carter	0	0	1	1
Cascade	5	5	15	15
Chouteau	0	0	1	1
Custer	2	2	3	3
Daniels	0	0	1	1
Dawson	0	0	2	2
Deer Lodge	0	0	3	3
Fallon	0	0	1	1
Fergus	0	0	4	4
Flathead	8	8	13	13
Gallatin	3	3	10	10
Garfield	0	0	0	0
Glacier	0	0	4	4
Golden Valley	0	0	0	0
Granite	0	0	2	2
Hill	0	0	4	4
Jefferson	0	0	3	3
Judith Basin	0	0	1	1
Lake	5	5	5	5
Lewis and Clark	6	6	8	8
Liberty	0	0	1	1
Lincoln	0	0	10	10
Madison	0	0	1	1
McCone	0	0	1	1
Meagher	0	0	1	1
Mineral	0	0	2	2
Missoula	11	11	15	15

Musselshell	0	0	1	1
Park	0		6	6
Petroleum County	0	0	0	0
Phillips	0	0	1	1
Pondera	0	0	2	2
Powder River	0	0	1	1
Powell	0	0	3	3
Prairie	0	0	1	1
Ravalli	5	5	11	11
Richland	0	0	3	3
Roosevelt	0	0	3	3
Rosebud	0	0	3	3
Sanders	0	0	7	7
Sheridan	0	0	2	2
Silver Bow	0	0	11	11
Stillwater	0	0	2	2
Sweet Grass	0	0	1	1
Teton	0	0	3	3
Toole	0	0	2	2
Treasure	0	0	0	0
Valley	0	0	3	3
Wheatland	0	0	2	2
Wibaux	0	0	0	0
Yellowstone	9	9	19	19
<b>TOTAL</b>	<b>56</b>	<b>56</b>	<b>217</b>	<b>217</b>

Counties with no State Authorized Positions in PY'15

Counties with no State or National Authorized Positions for PY15

**Describe current slot imbalances and proposed steps to correct inequities to achieve equitable distribution.**

The SCSEP grantees continues to work toward equitable distribution in each county. There are no counties that are significantly over-served or under-served with a variance of 1-5 of their equitable share based on U. S. Census 2010 data. However, the population shifts in PY'12 continues to be of concern for those counties in which equitable distribution has eliminated positions.

**The State's long-term strategy for achieving an equitable distribution of SCSEP positions within the State that:**

**Moves positions from over-served to underserved locations within the State in compliance with 20 CFR 641.365.**

The Montana Department of Labor and Industry (DLI) is the State SCSEP grantee. In Montana, DLI is the State Grantee and contracts with Experience Works, Inc. to provide services for the State SCSEP program. Experience Works, Inc. contracts with USDOL to provide services in the state at the National level.

The common goal for both SCSEP grantees is to distribute the workers served by the program in accordance with the equitable distribution of positions per county. Montana's SCSEP grantees continue to work toward the goal of having equitable distribution of the SCSEP slots within the counties so that all older individuals have access to services under the program.

**Equitably serves rural and urban areas.**

The SCSEP grantees are consistently working toward equitable distribution in each county. There are no counties that are significantly over-served or under-served based on U. S. Census 2010 data. Under-enrollment in some counties may be due to the large, rural and sparsely populated rural areas that also have a higher unemployment rate than the state's average unemployment rate. Over-enrollment in some counties may be due to those counties being more urban in nature with one of them being the largest city in the state. The concentrated population in these counties generally leads to a push to enroll more participants because they provide the most opportunities for outreach to potential enrollees and employers. SCSEP grantees work closely to coordinate recruitment and enrollment efforts and to determine the potential to move authorized positions at some point. If positions become vacant through attrition, the position will be filled from the current waiting list. This will ensure Montana's counties are served appropriately so that authorized positions in the counties more closely align with equitable distribution.

The national SCSEP grantee has authorized positions in fifty-one counties out of the total fifty-six counties in Montana. Ten of these counties also have state-designated positions as well. Even with population shifts each year that cause some counties to be over-served and some to be under-served, the authorized numbers meet the Census figures.

**Serves individuals afforded priority for service under 20 CFR 641.520.**

Montana State SCSEP priority for service is provided to eligible individuals who meet one or more of the following criteria:

- aged 65 years or older;
- have a disability;
- have limited English proficiency or low literacy skills;
- Reside in a rural area
- Are veterans or their spouses who meet the requirements of the Jobs for Veterans Act;
- Have low employment prospects;
- Have failed to find employment after using services provided through the one-stop delivery system;
- Are homeless or at risk of homelessness

Montana's SCSEP goal is to serve these populations at least in proportion to their percentage of the population. Program activities will be provided to ensure successful participation of these groups. Each applicant's eligibility will be determined by an interview and documented on an intake form.

**The ratio of eligible individuals in each service area to the total eligible population in the State. (20 CFR 641.325(a))**

**The relative distribution of eligible individuals who:  
Reside in urban and rural areas within the State**

Montana is a very large, rural state with ongoing challenges and significant barriers most significantly in the more rural areas of the state. Challenges and barriers include: shortages of quality host agencies that can provide the training that matches the employment goals for participants; shortages of employers that have a presence in the rural areas that are seeking new employees in general; the economy in some of the counties is depressed; public transportation is available in the larger communities but is non-existent in the very rural areas. It is very difficult, in the most rural areas of Montana, to recruit both eligible participants and develop host agencies due to distance, language, transportation, etc. These challenges make it essential that both rural and urban areas are served equitably and that older workers living in rural areas have access to the same training and employment resources equivalent to those living in urban areas. Experience Works makes every effort possible to accommodate enrollees whenever suitable arrangements can be made including flexibility in scheduling training.

Experience Works coordinates and works with organizations within communities to:

- Address rural needs using small scale methods appropriate to the uniqueness of each community;
- Identify the inequities in resources to equitably serve SCSEP participants in both rural and urban counties across the state;

- Identify those inequities specific to rural areas that can be changed or addressed and promote the development of new training sites and employment opportunities for participants by December 2012 and ongoing thereafter; and
- Identify tools and resources to rally communities to help with the needs of the eligible population.

### **Have the greatest economic need**

There are many older persons that need to work in order to pay for the necessities of life: food, housing, transportation and medical care. Social Security benefits alone cannot meet their needs and they must subsidize this with employment. A large number of the participants are working to pay for prescriptions or to cover the cost of health insurance. Of the current enrollment approximately 61% are below the age of 65 and may not receive any Social Security benefits (unless they have opted to draw their benefit at age 62 or receive Social Security Disability benefits.) Low income older workers want and need to work.

The number of older workers is growing in Montana along with the rest of the country. According to the US Census Bureau's 2006 to 2010 American Community Survey (ACS), 12.7 percent of the 2006 to 2010 population is at least 65 years old. The 2006 to 2010 ACS data also indicates that Montana has a population that includes 134,588 people that are 65 years old and older. Of this population, 11,916 (8.9%) are the men and women that have an income that is at or below the HHS poverty levels. Currently, SCSEP grantees in Montana have an enrollment of participants that include almost 90% who are living in poverty.

According to the American Community Survey, an annual survey performed by the U. S. Census Bureau, 14.8% of the entire population in 2014 lived in poverty.

### **Are minorities**

In Montana American Indians are the main minority population and are served at approximately 19% of total enrollments. This minority population is showing as underserved in the SCSEP program based on the numbers of the eligible population. Montana has seven reservations with three of them located in or very near the most heavily populated counties. Montana also has one State Workforce Investment Board certified Native American One-Stop. The SCSEP subrecipient works closely with local agencies and representatives in areas on or near the reservations to target recruitment activities to under-served areas, the areas of higher concentrations of this minority population and to others who are most in need. The total minority population within Montana's SCSEP program is approximately 26% of the total enrollments.

The following are minority statistics of participants pulled from the PY' 14 year end performance report:

- American Indian 19%
- Asian/Native Hawaiian/Pacific Islander 0%
- Black or African American 2%

## Hispanic, Latino or Spanish Origin 4%

Experience Works, through constant and ongoing personal and community networking, are made aware of individuals who are new to communities and may be in need of SCSEP training opportunities. The outreach by ETCs allow them to be proactive and identify those within these minorities who may be in need of and benefit from SCSEP services.

### **Are limited English proficient.**

Individuals with limited English proficiency are included in the priority of service, most-in-need group with barriers to employment. As of PY'14 final quarter report one percent of the participants served were showing as limited English proficient. Experience Works staff will use the same techniques of recruitment of eligible individuals who are limited English proficient as the other most-in-need populations including: recruitment through the one-stop systems; advertisements; and working closely with local community and business leaders who are members of local ethnic or cultural groups that include minorities or limited-English speaking individuals; and networking with organizations that share SCSEP's priority in helping those most in need.

Experience Works ETCs recruit these individuals for SCSEP, develop community service assignments and help minority older individuals seek unsubsidized employment.

### **Have the greatest social need. (20 CFR 641.325(b))**

Recruitment of eligible participants in rural areas requires more innovative methods than in more urban areas due to the greater distances between participants, high transportation costs, and increased time needed to serve the participants. Experience Works, links with the mature population in rural areas through newspaper advertisement; utilizing posters in high senior traffic areas; television and radio appearances; networking with senior citizen centers, aging organizations, disabilities advocacy and service groups, veteran's organizations, religious centers, city government officials, tribal leaders, and other community-based organizations. Experience Works also works closely with Montana's Job Service Workforce Centers who helps with recruitment and solicit referrals from them. Many of the same techniques are used to recruit participants in urban areas, but with much reduced travel costs and with less time involved.

Aging will often decrease people's ability to remain independent. Experience Works networks with host agencies and employers to develop reasonable accommodations that will allow those with disabilities to work and be successful in the SCSEP training assignment or unsubsidized job following training.

The PY'14 fourth quarter end report showed that 21% of enrolled participants had some form of disability.

Currently anyone who is eligible and suitable for SCSEP in Montana is served and currently there is no one on a waiting list.

**A description of the steps taken to avoid disruptions to the greatest extent possible, when positions are redistributed, as provided in 20 CFR 641.365; when new Census or other reliable data become available; or when there is over-enrollment for any other reason. (20 CFR 641.325(i), 641.302(b))**

Census data is used to determine equitable distribution. The population shifts each year causes some counties to be over-served and some to be under-served even though the authorized numbers for these counties meet the Census figures. There may need to be an adjustment in the numbers that differ from the Census 2010 figures in order to adequately serve these areas of the state. Montana's SCSEP will adhere to any recommendation from the U.S. Department of Labor whenever new census data indicates a shift in the location of eligible population or over-enrollment for any other reason. Current SCSEP participants in subsidized community service assignments are encouraged to move into unsubsidized employment positions and ensure compliance with the Older Americans Act time limits. Ten Montana counties have both federal and state SCSEP services. All other counties have federal SCSEP services. The State of Montana continually works toward the goal of equitable distribution of the SCSEP slots within the counties so that all people have access to services under the program. Changes in services to counties with population changes will be handled through attrition to avoid any disruption in service.

The challenges that face Montana continue to grow as the work force continues to age.

(d) SCSEP Operations

***Administrative:* describe the organizational structure of the project and how subprojects will be managed, including:**

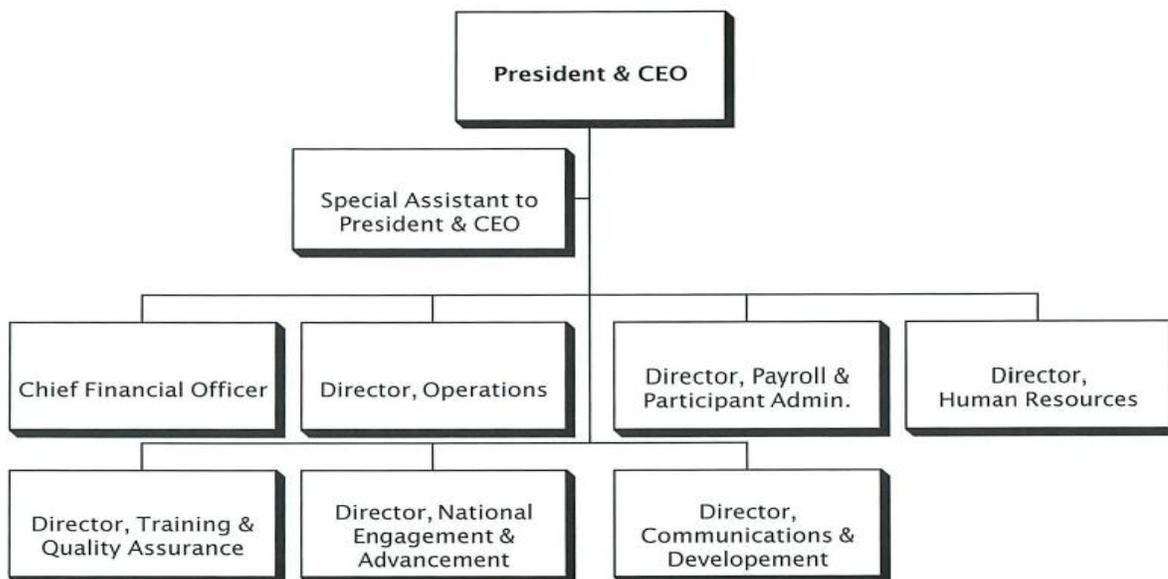
**Identification of the key staff, including the primary responsibilities and the amount of time assigned to the SCSEP grant;**

The Statewide Workforce Programs and Oversight Bureau in the Montana Department of Labor and Industry is Montana's State Senior Community Service Employment Program Grantee. Connie Kinsey, State SCSEP Coordinator and Program Manager, is responsible for overseeing projects, monitoring, performance, and data validation and other data related responsibilities. The State SCSEP Coordinator spends approximately **five percent** of her time on the SCSEP grant. Kate Kahle is the Management Information System (MIS) Officer for the Bureau and assists the SCSEP Coordinator with data validation. The MIS Officer spends approximately **three percent** of her time working on the SCSEP grant. Michelle Marsh is the Bureau Fiscal Officer has all SCSEP financial responsibilities. The Fiscal Officer spends approximately **five percent** of her time working on the SCSEP grant. Connie, Kate and Michelle all work in the Statewide Workforce Programs and Oversight Bureau in the Department of Labor and Industry's Workforce Services Division.

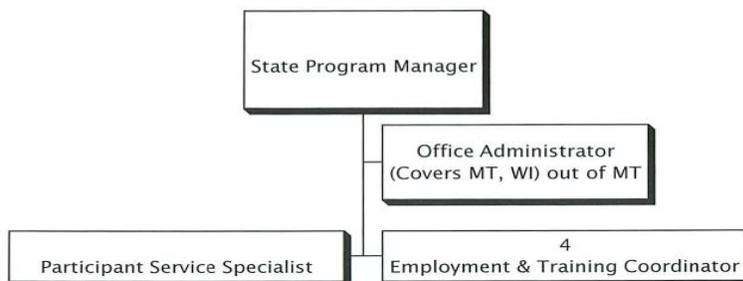
Include an organization chart depicting any subrecipients or local affiliates implementing the grant.

**ExperienceWorks**  
Formerly Green Thumb

**Executive Leadership**  
December 2015



**Montana State Program Office**  
DECEMBER 2015



Include a table with authorized positions for each subrecipient or affiliate, if applicable;

State SCSEP subrecipient

COUNTIES	CITIES	STATE AUTHORIZED POSITIONS
Big Horn	Pryor, Harden, Lodge Grass	2
Cascade	Great Falls, Cascade, Belt	5
Custer	Miles City, Lame Deer, Ashland	2
Flathead	Kalispell, Whitefish, West Glacier, Big Form, Coram	8
Gallatin	Bozeman, Belgrade	3
Lake	Polson, Elmo, Ronan, Pablo	5
Lewis & Clark	Helena, East Helena, Augusta, Lincoln	6
Missoula	Missoula, East Missoula, Frenchtown	11
Ravalli	Hamilton, Stevensville, Corvallis, Darby,	5
Yellowstone	Billings, Park City, Ballantine	9
<b>TOTAL AUTHORIZED STATE SCSEP POSITIONS</b>		<b>56</b>

**Appendix 4:** Subrecipient Staff Responsibilities and Time Spent on SCSEP

**Describe training that will be provided to local staff;**

Montana’s SCSEP grantee provides training to Experience Works staff during onsite monitoring reviews and at technical assistance and training meetings. Training is intended to help the staff with file maintenance, data entry and understanding policies and procedures from the State SCSEP grantee’s perspective. The training generally takes place after Data Validation reviews are completed so that any issues discovered during the Data Validation review can be addressed at the training. Technical assistance is also provided through the year as policies are issued by USDOL or the State Grantee.

**Describe how projects will be monitored for program and financial compliance, including audit plans;**

Program and Financial Monitoring: The State Grantee Manager and Fiscal Officer monitor SCSEP annually. The State Grantee travels to each of the four ETC locations in Montana to conduct onsite monitoring. Due to the fact that the financial documents are maintained in the National Experience Works' office in Virginia, the Fiscal Officer monitors the National Experience Works' financial records by having documents submitted to her electronically.

Audit Plans:

Experience Works, Inc. is responsible for the annual independent audit of its contract and any costs associated with that audit. The audit is to be conducted in accordance with OMB's Uniform Guidance. Experience Works, Inc. is to provide the full audit report to the State Grantee.

**Describe how the State will manage its providers and how it will transfer participants if new providers are selected to serve in the State.**

The Department of Labor and Industry (DLI) conducted the Request for Proposal (RFP) process in February 2014 with Experience Works, Inc. being the successful bidder for the State program. Experience Works, Inc. was the State SCSEP subrecipient prior to the RFP so there was no need to transfer participants. The contract between DLI and Experience Works, Inc. can be renewed up to four years so there is no expectation at this time that there'll be a new provider for the State SCSEP program for three more years. In the event of an unforeseen change in the selection of the National Grantee in Montana that results in the State Grantee sending out a new RFP and selection of a new provider the State SCSEP ensures that the transfer of participants between the outgoing and incoming SCSEP state subrecipients will be smooth and seamless with very minimal disruption to participants. The State would begin the timely preparation process for the transfer so when the new provider assumes responsibility for the program everything is in place and participants can continue as if there had been no change in providers.

***Recruitment: describe how grantee will recruit and select of participants will be achieved. The eligibility of participants is described under 20 CFR 641.500 and 641.525.***

The State and National grantees will continue to aggressively recruit participants through community outreach, involvement with other services in the one-stop system in order to maximize the number of eligible older individuals who will have an opportunity for SCSEP participation. The grantees will make efforts to provide equitable services among the population segments eligible for SCSEP participation and ensure inclusions of individuals matching the following criteria: age 65 years or older; individuals with disabilities; limited English proficiency or low literacy skills; rural area residents; veterans or spouses of veterans; individuals with low employment prospects; those who have failed to find employment after utilizing WIA Title I services; those old enough but not receiving social security benefits; or those who are homeless or at risk of homelessness.

The SCSEP grantees will continue to establish collaborative relationships with agencies serving older and low-income individuals, the disabled, veterans and persons of various race and/or ethnic backgrounds; and continue developing close working relationships with other employment and training programs including WIOA Title I adult and dislocated worker programs, Vocational Rehabilitation and Adult Basic Education.

***Income Eligibility: describe how participant income will be recertified each year, including where eligibility records will be maintained.***

The Project Work Plan, attachment to the SCSEP Contract between the Montana Department of Labor and Industry and Experience Works, Inc., states that the subrecipient will conduct an eligibility review at least once every 12 months with each participant to ensure the participant continues to meet the income limits for participation in SCSEP. Participants are required to notify Experience Works of any changes in income or family size that may affect eligibility. Experience Works may also re-verify a participant's eligibility when circumstances change.

The State SCSEP Grantee requires that ETCs maintain participant files in their respective locations. File documentation must be current and should include eligibility, current IEPs, recertification and follow-up documentation. Documentation pertaining to disability is maintained in a secure cabinet separate from participant files.

***Orientation: describe the orientation procedures for:***

***(A) Participants***

SCSEP subrecipient staff is responsible for providing a complete orientation for each participant once a host agency assignment is made and, if possible, before the first day of community service at a host agency. At a minimum, orientation must be completed within 30 days of the assignment date (date of initial community service assignment on the Participant Application form).

Participants should be paid no less than the applicable minimum wage for up to a maximum of 4 hours of orientation.

Participant orientation includes:

- information about the goals of SCSEP;
- SCSEP goals and policies as they pertain to the participant and SCSEP program;
- availability of supportive services and a free physical examination;
- training opportunities;
- participant's IEP;
- participant and host agency visits;
- temporary nature of the program;
- obligation to seek unsubsidized employment, including applying for jobs at the host agency and registering with the One-Stop Career Center;
- post-enrollment and unsubsidized employment information that will be collected;
- community service assignment description;
- DOL-mandated customer satisfaction surveys; and
- allowable and unallowable political activities.

Orientation also includes a review of Experience Works Handbook and covers the following:

- roles and responsibilities of the participants;
- hours of community service training;
- wage rate;
- submission of timesheets; schedule and method of payment of wages;
- procedures for complaint resolution;
- procedures for reporting assignment-related accidents;
- travel reimbursement, if applicable;
- durational limit on community service assignment;
- prohibition from volunteering at host agencies;
- felony checks, if applicable;
- Employer Authorization form (requires participant's signature);
- allowable and Unallowable Political Activities—Hatch Act;
- Privacy Act Statement (requires participant's signature); and
- reasons for termination (including IEP termination).

Each participant must sign the SCSEP Participant Certification, Acknowledgement, and Authorizations form.

All participants are provided a written explanation of allowable and unallowable political activities under the Hatch Act and be provided with a copy of the Privacy Act Statement.

Staff conducts reorientation for participants to discuss concerns about their progress or actions and present any program changes during the re-assessment.

### **(B) Host Agencies**

Experience Works staff uses Orientation Desktop Easel to conduct host agency orientation to outline the goals and objectives of SCSEP and Experience Works' mission. Host agency training includes reviewing, discussing and identifying:

- the host agency's responsibilities;
- the maintenance of effort requirements;
- in demand jobs and skills that are in demand by local employers that might be attainable by SCSEP participants;
- effective training and required supervision methods;
- computer-related and other training opportunities available at the host agency;
- the host agency's role as it relates to the participant's training progress to ensure that the training is consistent with the IEP;
- other related issues such as workplace safety;
- timesheet requirements;
- USDOL mandated Customer Satisfaction Survey; and
- the temporary nature of the program and the participant assignment based on the IEP.

***Duration Limits:* describe any policy for maximum duration of enrollment or maximum time in community service and provide a copy of the current Duration Limit policy.**

Montana SCSEP'S Individual Durational Limit Policy (IDL) was approved by USDOL in 2012. The IDL policy implements an individual durational limit policy of 48 months that grants an extension of 12 months to each participant with at least one of the follow statutory waiver factors:

- 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

***Assessments:* describe the procedures for assessing job aptitudes, job readiness, and job preferences of participants and their potential to transition into unsubsidized employment. Also describe how the assessment will be used to develop the participant's Individual Employment Plan (IEP).**

Employment and Training Coordinators assess each participant's job aptitudes, job readiness, job preferences and the potential to transition to unsubsidized employment during the development of the Individual Employment Plan (IEP). Participants are provided Labor Market Information and Montana's employment outlook to help them determine the training most appropriate to them based on their employment interests.

Employment and Training Coordinators use the **JobReady** tool to conduct and prepare assessments, re-assessment, and community service assignment descriptions. **JobReady** is also the tool used to update the IEP.

***Community Service Assignments:* describe how the participant will be assigned to community service including:**

**The types of community service activity that will be emphasized and how they were chosen; methods used to match participants with community service training;**

As much as possible Community Service activities will be based off the participant's interests documented in the IEP and the availability of a worksite to provide community service training.

A significant portion of SCSEP's unsubsidized placement can occur when the community service training sites hire SCSEP participants that have been training at the sites. The ETCs will also emphasize the value and benefits of hiring trained participants.

Community service activities may be identified through continued partnerships with Montana's One-Stops to help identify current and future regional job opportunities: continuous monitoring for information on job opening and trends; maintaining partnerships with State Departments including Labor and Industry, Vocational Rehabilitation, Public Health and Human Services; Job Service Workforce Centers as well as Social Services, Adult Services and Aging, and the

Department of Education. Title V participants are assigned to these agencies as office assistants, resource room attendants, and custodial workers whenever possible.

**The extent to which participants will be placed in the administration of the project itself;**

Participants may be placed in an administration role as part of the community service training when the assignment is consistent with the participant's unsubsidized employment objectives and their IEP. Duties assigned to participants in an administrative role could include but aren't limited to: assisting with training such as technological training, serving as an employment coach for other participants; or providing general administrative assistance to staff.

**Types of host agencies used and the procedures and criteria for selecting the assignments;**

Montana's host agencies include Job Service Workforce Centers, social services, welfare, educational services, libraries, Chamber of Commerce, restoration and natural resources, weatherization, economic development, thrift stores such as Goodwill Industries, Good Samaritan and the Salvation Army, and Healthcare providers.

Participant community service assignments must support the goals of SCSEP as well as the participant's goals established on the IEP. Additionally the host agency must be willing to work with SCSEP subrecipient staff to develop the participant's IEP and performance evaluation.

**Average number of hours in a participant's training week;**

Participants are generally authorized to perform community service and training on an average of 18 to 20 hours per week. Participants may not be authorized for more than **29** hours per week except on a temporary basis when the participant has requested to make up time.

**Fringe benefits offered (if any);**

Participants received the required fringe benefits including: Workers' Compensation; Social Security (FICA); and Physical Examinations.

**Procedures for ensuring adequate supervision.**

Host agencies must provide supervision that is suitable to enable each participant to perform as a productive and effective worker as well as gain the skills outlines in the participant's individual IEP and training agreement.

***Training:* describe the training that will be provided during community service assignments and any other types of training provided, including linkages with local one-stop centers, and Registered Apprenticeship.**

Training provided may include technology, customer service, clerical such as office administrative assistant, receptionists and other office responsibilities; and maintenance training. SCSEP participant community service assignments include placement at one-stop centers and one such training assignment is currently in place at the Helena One-Stop Center.

There are currently no Registered Apprenticeships in Montana's SCSEP program however Montana's Registered Apprenticeship program is also in the Montana Department of Labor which helps to make connections between the programs as well as making information regarding this program is easily assessable for SCSEP. Experience Works can also investigate the potential of Registered Apprenticeships for their participants through coordination with the Job Service Workforce Centers' which have close working relationships with employers.

***Supportive Services: describe the supportive services that will be offered to help participants obtain and retain an unsubsidized job, including transportation assistance (if applicable).***

Supportive services are made available to participants as needed to help them while preparing for their work assignments, while they are on work assignments and while they are in job search. Limited supportive service may be available after the participant secures unsubsidized employment however ETCs are encouraged to leverage other community resources wherever possible in these instances.

Supportive services might include: counseling or instruction to help the participant succeed in their community service assignment; reasonable costs of transportation; health care and medical services; specialized job-related or personal counseling; uniforms or tools for work; eyeglasses; child and adult day care; and temporary shelter.

***Termination: describe procedures for terminating a participant, including IEP terminations. Please provide a copy of the current termination procedures.***

With the exception of serious violations as described in Montana's approved termination policy, participants receive progressive discipline and an opportunity for corrective action before formal termination occurs. The training site and SCSEP ETCs document the behavior or performance in questions. In the case of serious violations participants receive a 30 day termination letter notifying them of the date of exit, the reason for termination, and the right to appeal.

Appendix 1: A copy of Montana's approved termination policy is attached.

***Complaints & Grievances: describe the procedures for addressing and resolving participant complaints and grievances related to program termination. Please provide a copy of the current complaint/grievance policies.***

Montana's SCSEP subrecipient' Complaint Procedure says that any participant who believes that he or she was the victim of unfair treatment, discrimination or harassment by a supervisor, manager, coworker, staff member, or a host agency is to follow the steps as outlined in the Experience Works, Inc. SCSEP Policy Manual. Steps include:

- 1) discussing the problem or compliant with his/her ETC either by telephone or in writing within five calendar days;
- 2) Contacting the Regional Director if unable to receive a satisfactory answer or resolution from the ETC in writing within five calendar days;
- 3) If the participant is not satisfied with responses he/she may then appeal in writing to the president of Experience Works within five calendar days;

- 4) If the participant alleges discrimination on the basis of race, color, religion, sex, national origin, disability, or age and if not satisfied with the decision of the present of Experience Works the participant may file a complaint directly with the Director of CRC in USDOL.

Participants may also file complaints of discrimination directly with the Equal Opportunity Officer in the Workforce Services Division where SCSEP is housed. Copy of State Complaint and Grievance Procedure; or with Civil Rights Center (CRC) in USDOL by the completing the Complaint Information Form found at <http://www.dol.gov/oasam/programs/crc/external-enforc-complaints.htm>

If a State SCSEP participant is not satisfied with the results of completing Experience Works' required steps they may appeal the decision to the State SCSEP Grantee in the Montana Department of Labor where the WIOA complaint procedure will be followed.

Appendix B: Experience Work's Grievance and Equal Employment Opportunity Policy  
 Appendix C: State of Montana WIOA Complaint and Grievance Policy

**Maximizing enrollment: describe procedures for fully enrolling all available slots, including over enrolling participants, and how over-enrollments will be balanced with equitable distribution requirements.**

The goal for SCSEP is to distribute the workers served by the program in accordance with the equitable distribution of positions per county. Montana's SCSEP Grantees will coordinate efforts in working toward the goal of equitable distribution of the SCSEP slots within the counties and will explore the strategy of moving slots around from over-served to under-served counties wherever possible in order to achieve equitable distribution.

**Performance: include a proposed level for each performance measure for each of the program years covered by the plan.**

The following table provides the proposed levels for each performance measure for Program Years 2016 through 2019.

PERFORMANCE MEASURE	PROPOSED PERFORMANCE LEVELS			
	PROGRAM YEAR			
	PY'16	PY'17	PY'18	PY'19
<b>Entered Employment</b> Entry into unsubsidized employment	44.7%	45.0%	45.7%	46.0%
<b>Employment Retention</b> Retention in unsubsidized employment for six months	72.7%	73.0%	73.7%	75.0%
<b>Average Earnings</b> Earnings	\$7,065	\$7,175	\$7,268	\$7,270
<b>Service Level</b> The number of eligible individuals served	160.1%	165.0%	170.0%	175.0%
<b>Service to Most-in-Need</b> The number of most-in need individuals	2.81	2.83	2.90	2.95
<b>Community Service</b> Hours of Community Service	81.5%	81.5%	82.0%	82.5%

***Administrative Costs:* describe any request for an increase in administrative costs consistent with section 502(c)(3) of the Older Americans Act.**

Montana currently has no plan to request an increase in administrative costs for the State-funded Senior Community Service Employment Program.

## SCSEP ASSURANCES

The State Plan must include assurances that:	
1.	<p>The SCSEP State Plan is not included in the WIOA Combined State Plan at this time.</p> <p>The SCSEP State Plan was posted on the State Workforce Innovation Board's (SWIB) website on January 22, 2016 for a comment period of <b>thirty days</b>.</p> <p>The SCSEP State Plan is made available for comment to representatives of the State and area agencies on aging; State and local boards under WIOA; public and private nonprofit agencies and organizations providing employment services, including each grantee operating a SCSEP project within the State, except as provided under section 506(a)(3) of OAA and 20 CFR 641.320(b); Social service organizations providing services to older individuals; Grantees under Title III of OAA, Affected Communities, Unemployed older individuals, Community-based organizations serving older individuals; business organizations; and labor organizations.</p>

## APPENDICES

### APPENDIX 1

#### STATE OF MONTANA SCSEP TERMINATION POLICY

##### I. Participant Involuntary Termination Policy

There are six (6) reasons a participant may be involuntarily terminated from the Senior Community Service Employment Program (SCSEP). The reasons are listed below along with an explanation. This Termination Policy will be followed fairly and equitably when involuntarily terminating participants. Participants will not be terminated based on age; there is no upper age limit for participation in the SCSEP. Except as noted below in the case of serious violations, participants will receive progressive discipline and an opportunity for corrective action before a formal termination notice is issued. All inappropriate behavior or poor performance must be documented. In the case of a serious offense, participants will receive a 30 day termination letter notifying them of the date of exit, the reason for the termination, and the right to appeal under the Montana State SCSEP Grantee or Subgrantee's grievance procedure. A copy of the grievance procedure will be attached to the termination letter. Participants will receive both a copy and a verbal explanation of the Involuntary Termination Policy during orientation. Additionally Subgrantee staff should review the termination policy with participants at least once each year during recertification. This policy is based on the Older Americans Act Amendments of 2006 and the SCSEP Final Rule, effective on October 1, 2010.

##### A. Types of Involuntary Terminations

A participant can be involuntarily terminated from the SCSEP for six (6) reasons. The reasons are:

1. Knowingly providing false information in the eligibility process
2. Being incorrectly determined eligible at enrollment or the annual recertification
3. Being determined no longer eligible at recertification
4. Reaching the maximum 48 months participation limit
5. Becoming employed during enrollment
6. For cause, including refusing to accept a reasonable number of job offers or referrals to unsubsidized employment based on the Individual Employment Plan (IEP) (with no extenuating circumstances hindering the participant from moving to unsubsidized employment)

**1. Knowingly Providing False Information in the Eligibility Process**

A participant may be terminated for fraudulent actions, such as intentionally providing inaccurate information to qualify for the SCSEP. If this occurs, the participant will be placed on Leave without Pay immediately, and a 30 day notification of termination will be sent to the participant. The Subgrantee will inform the Montana State Grantee of the intent to place the participant on Leave without Pay status and provide a copy of the 30 day notification of termination letter.

**2. Incorrectly Determined Eligible at Enrollment**

A participant will be terminated if found ineligible for participation in the SCSEP after enrollment through no fault of the participant. A participant will be terminated if they were enrolled or deemed eligible for continued enrollment based on an error in determining program eligibility, e.g. income may be recorded or calculated inaccurately. When this occurs, the participant will be notified regarding the error and immediately sent a 30 day notification of termination letter. The participant will be able to continue participating in the program until the date of exit as noted in the letter. The Subgrantee should refer the participant to other potential sources of assistance, such as the One-Stop delivery system. The Subgrantee will inform the Montana State Grantee of the basis for termination and provide a copy of the 30 day notification of termination letter.

**3. No Longer Eligible at Recertification**

Annually, or more frequently if there is a substantial change in circumstances, each participant is recertified to determine if he or she continues to be eligible for participation. During the recertification, a participant may be determined no longer eligible due to a change in eligibility criteria such as income, family of one due to a change in disability status, employment status, and number of household members. The participant will be notified and immediately sent a 30 day notification of termination letter. The participant will be able to continue participating in the program until the date of exit as noted in the letter. The Subgrantee will inform the Montana State Grantee of the basis for termination and provide a copy of the 30 day notification of termination letter.

**4. Reaching 48 Months Participation Limitation**

A participant will be terminated when he or she meets the 48 months maximum participation date and does not qualify for an extension under the documented waiver factor based on the Individual Durational Limit Policy as described in Montana’s PY2011 Grant Application. A waiver factor qualifies the participant for a temporary 12 month extension. If the participant does not qualify for a temporary extension, he or she will be sent a 30 day notification of termination letter 30 days before the 48 month maximum

participation date. The participant will be able to continue participating in the program until the date of exit as noted in the letter. Prior to termination the Subgrantee will inform the Montana State Grantee whenever a participant reaches the maximum participation date and if the participant: (1) has a qualified documented waiver factor and a subsequent temporary extension; or (2) does not qualify for a temporary extension of the change regarding the participant's eligibility. The Subgrantee should also provide a copy of the 30 day notification of termination letter to the Montana State Grantee.

## 5. **Becoming Employed During Enrollment**

Participants must be unemployed to qualify for enrollment in the SCSEP. Subgrantee staff must inform all participants that they may not be employed while participating in the program and that they must notify the program representative immediately upon becoming employed. A participant who is discovered to be employed while enrolled without having notified the program of the employment will be terminated from the program. If this occurs, the participant will be placed on Leave without Pay immediately, and a 30 day notification of termination will be sent to the participant. The Subgrantee will inform the Montana State Grantee of the basis for termination and provide a copy of the 30 day notification of termination letter prior to termination.

## II. **For Cause**

The purpose of SCSEP is to help economically disadvantaged individuals who are out of the labor market develop skills to become employed and ultimately self-sufficient. Because of this population and their limited employment experiences, for-cause terminations generally require that participants commit **willful misconduct** before the Montana State Grantee or Subgrantee will consider termination to be the appropriate action. There are several reasons to terminate a participant "for-cause" and when warranted, a participant may be terminated for certain behaviors and/or conduct. Termination for cause may include but is not limited to:

- A. IEP related reasons:** Refusing to accept a reasonable number of job offers or referrals to unsubsidized employment or for not complying with the Individual Employment Plan (IEP). A participant may be subject to disciplinary action up to and including termination when he or she refuses a total of three job offers and/or referrals to job openings and/or to follow through with objectives to achieve goals that are based on the IEP. If the participant fails, without good cause, to cooperate fully with Subgrantee staff to accomplish the goals of his or her service strategy, an IEP-related termination "for-cause" may be in order. Examples of lack of cooperation with Subgrantee staff to accomplish IEP service strategies may include but are not limited to the following when provided for in the participant's IEP:

- Refusing to search for a job;
- Sabotaging a job interview, for example, a participant tells the interviewer that he or she is not interested in the job or tells the interviewer that he or she is not qualified;
- Refusing or not participating fully in training opportunities;
- Refusing to transfer to a new community service training assignment;
- Refusing to register at the One-Stop/Job Service
- Refusing to take advantage of WIA opportunities;
- Refusing to accept or lack of follow-through in obtaining supportive services that will enhance the participant's ability to participate in a community service assignment consistent with the IEP;
- Refusing to cooperate with other IEP-related referrals;
- Refusal to cooperate with the assessment or IEP process, e.g., refusing to participate in completing the assessment and training development plan

The Subgrantee may refer the participant to other potential sources of assistance, such as the One-Stop delivery system. The Subgrantee will inform the Montana State Grantee of the basis of for-cause termination and provide a copy of the 30 day notification of termination letter.

**B. Non-IEP related reasons:**

- Refusal to cooperate in recertifying eligibility, for example, refusing to provide required document to determine continued eligibility or refusing to attend or be available for the recertification appointment;
- Failure or refusal to perform assigned duties, e.g., refusing without good cause to do assignments that are part of the training description and required to increase skills and knowledge;
- Falsification of official records, such as timesheets, for example, intentionally signing the signature of the host agency supervisor on a timesheet or other official document, or including hours on a time sheet that are not accurate;
- Intentional disclosure of confidential or private information obtained from the host agency, grantee, subgrantee, or local project, for example, informing others of information that is supposed to be kept private or confidential;
- Frequent tardiness or unauthorized absences, including reporting to the assignment late or not reporting to the assignment and not informing the supervisor. Generally, three instances of absence without good cause or without proper notice may warrant termination;
- Insubordination, defined as intentionally refusing to carry out the direction or instructions of a host agency supervisor or Subgrantee staff member, provided there were no extenuating circumstances and the directions or instructions were reasonable;
- Workplace harassment or discrimination on the basis of sex, race, color, religion, national origin, age, marital status, or disability;
- Obscene, abusive, harassing, or threatening language or behavior;
- Physical violence or intentional destruction of property, for example, being violent and threatening to or carrying out threats that physically harm individuals or property;
- Theft, meaning illegal taking or withholding the property of another without permission;

- Causing an imminent threat to health or safety of self or others;
- Non-compliance with drug and alcohol free policy, which prohibits participants from consuming, selling, purchasing, manufacturing, distributing, possessing or using any illegal or non-prescribed drug or from being under the influence of alcohol and or drugs while performing their host agency assignment or while carrying out objectives required by the IEP. Legally prescribed medications are excluded if they do not affect the participant's ability to perform his or her duties or protect the safety of the participant or others;
- Exceeding approved Leave without Pay by failing to return from an approved break by the required date without due notice or good cause

The Subgrantee will inform the Montana State Grantee of the basis of for-cause termination and provide a copy of the 30 day notification of termination letter.

### **III. Participant Corrective Action and Warning**

A participant will be given an opportunity to correct his or her behavior or conduct, or his or her failure to comply with the IEP requirements, except in cases involving serious harm or imminent threat to health, safety, property, etc. At any point in the corrective action process, if a participant makes positive efforts or the participant's lack of action is justified, corrective action will be discontinued. The following steps for corrective action will be taken:

#### **Step 1: First Formal Warning**

If a participant displays behavior or conduct outlined in the reasons for "for-cause" terminations or refuses to comply with the IEP requirements, the participant will be given a verbal warning and counseled to correct his or her actions. Absent extenuating circumstances, the participant will be informed in writing by the Subgrantee State Director of the requirement to correct his or her behavior or conduct. The Subgrantee State Director will provide a copy of the first formal warning to the Montana State Grantee's Program Director.

#### **Step 2: Second Formal Warning**

When a participant for a second time displays behaviors or conduct outlined in the reasons for "for-cause" terminations or refuses to comply with the IEP requirements, the participant will be verbally warned and counseled to correct his or her actions. Absent extenuating circumstances, the Subgrantee State Director will send the participant a written warning that he or she has 30 days from the date of the letter to correct his or her behavior or conduct. In the case of an IEP violation, the participant may be directed to complete specific IEP-related task. The written warning will include a statement that failure to make improvement or complete the IEP-related tasks will result in termination. The Subgrantee State Director will provide a copy of the second formal warning to the Montana State Grantee's Program Director.

#### **Step 3: Notice of Termination**

When a participant does not make improvement in his or her actions or for a third time displays behavior or conduct outlined in the reasons for “for-cause” terminations, a letter will be sent notifying the participant that he or she will be exited 30 days from the date of the letter.

*For example, a participant’s training goal is to become computer literate in preparation for a clerical position. First Subgrantee Employment and Training Coordinator (ETC) identified a community service assignment at the library but the participant refused it because she wouldn’t have her own cubicle (she would be in an open area) so she turned down that opportunity. Next, the ETC identified a training site in a school, but the participant turned down that opportunity. Finally, the ETC tried the local museum, and the participant refused the training assignment at the museum, too. The ETC spoke with the participant, and she had no legitimate reason for refusing the training offered at various assignments. After the first refusal, the ETC asked the Subgrantee State Director to send the participant the first written warning letter. The State Director sent her the second warning letter stating that she risked being terminated if she continued to fail to follow her IEP or to take corrective action. When the participant turned down a third assignment and there was no extenuating circumstance, the Subgrantee State Director sent a 30-day notification of termination letter.*

#### **IV. For-Cause Terminations that Require Immediate Removal from Host Agency and Leave without Pay Pending Termination**

When a participant’s violation of the Montana State Grantee or Subgrantee policies is of a serious nature, immediate action to remove the participant from the host agency may be required. In this case, the participant will be placed on leave without pay and a written 30-day notice of termination sent. Examples of circumstances warranting immediate removal from the host agency and leave without pay include, but are not limited to:

- Gross misconduct such as violating the Montana State Grantee and/or Subgrantee Drug and Alcohol Policy or intentionally endangering the lives of themselves or others
- Violence, including but not limited to physical or extreme verbal violence at the training site

In the case of **for-cause terminations** the Subgrantee will: 1) notify the Montana State Grantee immediately of an action taken to remove the participant from the host agency and place him or her on leave without pay; and 2) provide a copy of the written 30-day notice of termination.

**Participant Complaint Procedure**

Any participant who believes that he or she is the victim of unfair treatment, discrimination or harassment by a supervisor, manager, coworker, staff member, or a host agency should follow the dispute resolution procedure established by Experience Works, which involves the following steps:

*All EEO/ADA sexual harassment or workplace harassment related complaints must be forwarded directly to the national SCSEP director for review and guidance.*

**STEP ONE: Employment and Training Coordinator**

To minimize the possibility of misunderstanding, the participant is requested to discuss a problem or complaint with his/her Employment and Training Coordinator, either by telephone or in writing, within five calendar days of the occurrence of the problem. The Employment and Training Coordinator will then work with the participant to provide a solution or explanation within 10 additional calendar days. If more time is required for the Employment and Training Coordinator to provide a meaningful response, the participant will be notified of this fact and the anticipated response date. Should the participant find it difficult to discuss the problem with the Employment and Training Coordinator, he/she may proceed directly to Step Two, and contact the regional manager where the participant is enrolled.

**STEP TWO: Regional Director**

If the participant does not receive a satisfactory answer or resolution to the problem from the Employment and Training Coordinator, the participant should then contact the regional director. This contact must be made in writing within five calendar days after the participant receives the response from the Employment and Training Coordinator. The regional director will contact the participant within 10 calendar days after receiving the written grievance and provide the participant with the opportunity to further discuss the problem, either by telephone or in person. That response will be mailed to the participant within 20 calendar days after the regional director's receipt of the grievance, unless additional time is required under the circumstances.

**STEP THREE: President**

If the participant is not satisfied with the regional director's investigation and/or response, the participant may appeal in writing to the president of Experience Works. This written appeal must be mailed within five calendar days after the participant receives the regional director's response. The president or a designated representative will provide the participant with a written decision within 10 calendar days after the appeal is received, unless additional time is required under the circumstances.

**STEP FOUR: Department of Labor**

If the participant alleges discrimination on the basis of race, color, religion, sex, national origin, disability, or age and if not satisfied with the decision of the president of Experience Works the participant may file a complaint with the Director of Civil Rights at the United States Department of Labor; 200 Constitution Avenue NW; Washington, DC 20210. If the complaint alleges violations of laws other than anti-discrimination laws, and the complaint

cannot be resolved within 60 days via the Experience Works complaint procedure, a complaint may be filed with the chief, Division of Older Worker Programs; Employment and Training Administration; United States Department of Labor; 200 Constitution Avenue NW; Washington, DC 20210.

Unless allegations of violations of Federal law are determined to be substantial and credible and thus will be investigated and addressed, the Department of Labor will not review final determinations, except to determine whether the Experience Works complaint procedures were followed.

COMPLAINTS AND GRIEVANCES

This section is designed to provide the grievance and complaint procedure as required in the Workforce Innovation and Opportunity Act.

**WIOA Sec. 181(c)**

Whenever any person, organization or agency believes that a Governor, WIOA grant recipient or other (e.g., service providers, contractors) has engaged in conduct that violates the Act and that such conduct also violates a Federal statute other than WIOA, or a State or local law, that person, organization or agency may, with respect to the non-WIOA cause of action, institute a civil action or pursue other remedies authorized under other Federal, State or local law against the Governor, WIOA grant recipient or other without first exhausting the remedies in this section. Nothing in the Act or WIOA regulations:

1. Allows any person or organization to join or sue the Secretary with respect to the Secretary's responsibilities under WIOA except after exhausting the remedies in this section;
2. Allows any person or organization to file a suit which alleges a violation of WIOA or these regulations without first exhausting the administrative remedies described in this section; or
3. May be construed to create a private right of action with respect to alleged violations of WIOA or the regulations.

**I. Grievance and Complaints for Non-Criminal Complaints**

This section deals with the handling of non-criminal complaints. Criminal complaints are to be handled as specified in **20 CFR Part 629.55**

**A. Introduction to Complaints and Grievances**

**1. Complaints**

A **complaint** is an allegation of discrimination on the grounds of race, color, religion, sex, national origin, age, disability, political affiliation or belief, or participation in the program, and is covered by the nondiscrimination and equal opportunity provisions at **29 CFR Part 37.30**

An allegation of retaliation, intimidation or reprisal for taking action or participating in any action to secure rights protected under WIOA Section 188 will be processed as a complaint.

**2. Grievances**

A **grievance** is a complaint about services, working conditions, wages, work assignment, etc., arising in connection with WIOA programs operated by WIOA recipients including service providers, eligible training providers, and other contractors.

In order to direct a complaint or grievance properly, it must be determined whether the complaint is a program or discrimination complaint. When a participant or employee alleges unfair treatment, find out what she or he believes to be the reason for the treatment. It is appropriate to ask the complainant if the alleged unfair treatment was due

to one of the prohibited factors under the nondiscrimination and equal opportunity regulations at **29 CFR Part 37** or related to working conditions such as work scheduling or assignments.

If the individual alleging unfair treatment cannot or does not cite a reason that it is a prohibited factor, then the complaint must be processed using the separate grievance procedure.

**NOTE: A complaint cannot be processed as both a program complaint and as a discrimination complaint.**

B. Filing A Grievance

1. Who May File

Any individual, including WIOA program participants, applicants, staff, employers, board members or any other individual who believes they received unfair treatment in a Workforce Innovation and Opportunity Act employment and training program may file a grievance.

2. When Should a Grievance Be Filed

Grievances must be filed within **one (1) year** of the alleged occurrence.

3. Where May a Grievance Be Filed

Grievances may be filed directly with the service provider or with the State Equal Opportunity Officer.

4. The Grievance Process

a. The service provider may attempt to resolve the issue informally within fourteen (14) calendar days following the filing of the grievance. If the grievance is filed directly with the State Equal Opportunity Officer, the EO officer will work with the service provider and the grievant to attempt to resolve the issue informally.

Whether or not conciliation occurs, a written agreement (the WIOA Conciliation Form is recommended for use but is not mandatory and an appropriate substitute form may be used) shall be executed, signed by both the grievant and the service provider.

b. The grievant has the right to a due process hearing if informal resolution cannot be reached. The grievant must be advised of the possibility of a due process hearing within thirty (30) days from the date the grievance was filed; and

c. The grievant has the right to a receipt of a final decision within sixty (60) days from the date the grievance was filed.

## C. Filing a Complaint

### 1. Who May File

Any applicant or registrant requesting aid, benefits, or seeking services or training through the WIOA One-Stop workforce system; eligible applicants/registrants; participants; employees; applicants for employment; service providers, eligible training providers (as defined in **29 CFR Part 37.4**) and staff; and staff within the Montana Department of Labor and Industry (State Oversight Agency); who believes that he/she or any other specific class of individuals, has been or is being subjected to discrimination prohibited under the Nondiscrimination and Equal Opportunity Provisions at **29 CFR Part 37** and Section 188 of the Workforce Innovation and Opportunity Act of 2014 including: Race, color, sex, age, national origin, religion, disability, political affiliation or belief, citizenship (beneficiaries only), and participation in any programs under WIOA Title IB (beneficiaries), must be given the option to file a written complaint by his/herself or through a representative to the State of Montana Workforce Innovation and Opportunity Act Equal Opportunity Officer or the Civil Rights Center.

Where possible the identity of any person who has furnished information relating to, or assisted in an investigation of a possible violation of the Act will be held in confidence to the extent possible with a fair determination of the issues.

### 2. When Must A Complaint Be Filed

Complaints must be filed within **180 days** of the alleged discrimination. When a complaint is untimely filed with the State Workforce Innovation and Opportunity Act Equal Opportunity Officer the complaint WILL NOT be processed until a waiver of the filing period is received from the Director of the Civil Rights Center. The State Workforce Innovation and Opportunity Act Equal Opportunity Officer will assist the complainant in requesting the waiver from the Civil Rights Center. The Director of the Civil Rights Center may, for good cause shown, extend the filing time.

### 3. Where May a Complaint Be Filed

All complaints of discrimination **must** be in writing and **must** be filed directly with the State Workforce Innovation and Opportunity Act Equal Opportunity Officer in the Montana Department of Labor and Industry **OR** directly with the Civil Rights Center (CRC), U.S. Department of Labor. Complaints should not be filed simultaneously with the Civil Rights Center and the State WIOA Equal Opportunity Officer.

Complaints filed with the State Equal Opportunity Officer should be addressed to:  
Suzanne Ferguson  
State Workforce Innovation and Opportunity Act Equal Opportunity Officer  
Statewide Workforce Programs and Oversight Bureau  
P. O. Box 1728, Helena, Montana 59624  
e-mail address: [sferguson@mt.gov](mailto:sferguson@mt.gov)  
(406) 447-3237 or 1-800-457-3249 / TTY (406) 444-0532

Fax: (406) 447-3220

**OR A COMPLAINT MAY BE FILED WITH:**

Civil Rights Center  
The Director, Civil Rights Center (CRC)  
U.S. Department of Labor  
200 Constitution Avenue NW  
Room N-4123  
Washington, DC 20210

**NOTE:** Complaints of discrimination because of creed or marital status pursuant to Title 49 Human Rights of the Montana Codes Annotated (MCA) will be referred to the Montana Human Rights Commission.

4. What Information Must be in the Complaint

Each complaint must be in writing and must include:

- (a) Complainant's name and address (or specify another means of contacting him or her.
- (b) The identification of the respondent (the individual or entity that the complainant alleges is responsible for the discrimination);
- (c) A description of the complainant's allegations in sufficient detail to allow the State Equal Opportunity Officer and/or the Civil Rights Center to determine whether the complaint:
  - (1) Falls within the Workforce Innovation and Opportunity Section 188 and Equal Opportunity and Nondiscrimination Regulations at **29 CFR Part 37**;
  - (2) Was filed timely;
  - (3) Has merit; in other words, if the allegations are true was there a violation of nondiscrimination and equal opportunity provisions; and
  - (4) The complainant's or the complainant's authorized representative signature on the complaint.

Service providers should assist the aggrieved party in filing a written complaint and/or completing the Complaint Information Form if requested. The State Workforce Innovation and Opportunity Act Equal Opportunity Officer will also assist in filing a written complaint if requested.

5. Forms To Use When Filing Complaints

Complaints will be accepted regardless of the format, however complainants are encouraged to use the Complaint Information Form (CIF – DL 1-2014a) for filing complaints of discrimination.

A copy of the Complaint Information Form is in the Forms section of this manual (service providers may reproduce the form as needed) and can also be accessed through the Civil Rights Center website at:

<http://www.dol.gov/oasam/programs/crc/external-enforc-complaints.htm>

6. The Complaint Processing Procedure

Complaints of discrimination on the basis of race, color, national origin, sex, religion, age, disability, political affiliation or belief, and for beneficiaries of Workforce Innovation and Opportunity Act Title I financially assisted programs citizenship or participation in a Workforce Innovation and Opportunity Act funded program as set forth in Section 188 of the Act will be processed as set forth in **29 CFR Part 37.70**.

The complaint procedure applies to all individuals entering the One-Stop center or partner agency who are participating in the Workforce Innovation and Opportunity Act including programs and services and employment, those currently receiving Workforce Innovation and Opportunity Act services (core, intensive or training), employees of any Workforce Innovation and Opportunity Act Title IB-funded entity (Workforce Innovation and Opportunity Area staff or service providers) and applicants for WIOA Title IB funding.

a. Acknowledgement of the Complaint

The State Workforce Innovation and Opportunity Act Equal Opportunity Officer will, within ten (10) days of receipt of the complaint provide acknowledgement to the complainant of receipt of the complaint. The acknowledgement will include, in writing, a statement of the issue(s) to the complainant that provides the following information:

- (1) a list of issues raised by the complainant;
- (2) for each issue, a statement of whether or not the issue is accepted or rejected and the reasons for any rejections of an issue;
- (3) the options available, including Alternative Dispute Resolution or a fact-finding investigation, for processing their complaint and the time period in which the complainant has to request an Alternative Dispute Resolution or fact finding investigation;
- (4) a statement advising the complainant that they must request their preference of either Alternative Dispute Resolution or a fact-finding investigation within ten(10) days of receipt of written acknowledgement of their complaint;
- (5) the options available for processing their complaint such as an investigation or Alternative Dispute Resolution.

The State Workforce Innovation and Opportunity Act Equal Opportunity Officer will also notify complainants, within ten (10) days of receipt of the complaint, in writing, if the complaint does not fall within Workforce Innovation and Opportunity Act jurisdiction for processing complaints alleging discrimination under Section 188 or Equal Opportunity and Nondiscrimination provisions at **29 CFR Part 37**. That notification shall include the basis of the determination as well as a statement of the complainant's right to file with CRC within thirty (30) days. NOTE: The Director of CRC may extend the 30-day time period for good cause shown.

Following the determination that:

- (1) the complaint has merit;
- (2) is within the Workforce Innovation and Opportunity Act jurisdiction; and

- (3) the complainant has chosen the manner in which she or he wants their complaint processed the State Workforce Innovation and Opportunity Act Equal Opportunity Officer will provide:
  - (a) notice to all parties of the specific charges and responses of those involved;
  - (b) an impartial mediator if ADR is chosen;
  - (c) notice of the right of both parties to representation;
  - (d) notice of the right of each party to present evidence;
  - (e) notice to each party of the right to question others who present evidence; and
  - (f) the right to a decision made strictly on the recorded evidence.

b. Complaint Processing Time Frame

- (1) If a complainant elects to file a complaint with the State Workforce Innovation and Opportunity Act Equal Opportunity Officer, she or he shall allow for ninety (90) days in which to process the complaint and provide a written Notice of Final Action to the complainant.
- (2) If, during the 90-day period, the complainant has:
  - (a) Received a decision resulting from an investigation that she or he considers unsatisfactory, the complainant or his/her representative may file a complaint with CRC within thirty (30) days after the complainant is notified of the decision on the complaint.
  - (b) Not received a Notice of Final Action (decision) or notification of resolution the complainant or his/her representative may file with the Director of CRC. The complainant must file within thirty (30) days from the date the decision should have been issued.

## II. Resolution Process

### A. Alternative Dispute Resolution

1. Complainants must be given a choice as to the manner in which they wish to have their complaint processed, which include; an investigation conducted by the State Workforce Innovation and Opportunity Act Equal Opportunity Officer; or; through an Alternative Dispute Resolution (ADR). The choice whether to use ADR or the customary process of conducting an investigation rests entirely with the complainant. Mediation is the recommended Alternative Dispute Resolution and will be conducted by an impartial mediator provided through a contract for services between the Bureau and the Employment Relations Division of the Montana Department of Labor and Industry.

Complainants must notify the State Workforce Innovation and Opportunity Act Equal Opportunity Officer within ten 10) days after receiving the letter acknowledging their complaint of their choice of complaint processing through Alternative Dispute Resolution.

The Employment Relations Division of the Montana Department of Labor and Industry will provide an impartial mediator and will provide interested parties information regarding the manner in which the mediation will be conducted; and the date, time and place for mediation.

2. Time Frame

The period for attempting to resolve the complaint through mediation is twenty (20) days from the date the complainant chooses mediation.

a. Successful Mediation

Upon completion of successful mediation the complainant and respondent will both sign a conciliation agreement attesting that the complaint has been resolved.

A copy of the conciliation agreement will be provided to the State Workforce Innovation and Opportunity Act Equal Opportunity Officer within ten (10) days of the date the conciliation agreement was signed.

b. Unsuccessful Mediation

In the event that mediation was not successful the complainant has the option of requesting a fact-finding investigation.

The request for a fact-finding investigation must be submitted, in writing, **within ten (10) days** after the complainant determines that the mediation was unsuccessful to the State Workforce Innovation and Opportunity Act Equal Opportunity Officer.

Complainants may not request mediation after a hearing or fact-finding investigation process has taken place.

B. Fact-Finding Investigation Process

If the complainant requests an investigation as his or her choice of resolution the State WIOA Equal Opportunity Officer will have sixty (60) days from the date the complaint was filed, in which to conduct an investigation. The investigation may include interviewing the complainant and respondent, interviewing witnesses, and reviewing pertinent files and records.

In order to meet the ninety (90) day time frame for issuing decisions and allow the State WIOA Equal Opportunity Officer adequate time to conduct an investigation should the mediation fail, the State will have thirty (30) days in which to investigate the complaint. The mediator will notify the State Workforce Innovation and Opportunity Act Equal Opportunity Officer immediately that the mediation process was unsuccessful.

C. Complainant Responsibility

The complainant may amend the complaint at any point **prior to:**

1. the beginning of mediation; or
2. the fact-finding investigation

The complainant may withdraw the complaint at any time.

If at any time during the process the complainant fails to cooperate, she or he shall be given notice that the complaint will be administratively closed within **ten (10) calendar days**, unless good cause is shown.

D. Breach of Agreement

Any party to any agreement reached under ADR may file a complaint with the Director of the Civil Rights Center in the event the agreement is breached. The non-breaching party may file a complaint with the Director within thirty (30) days of the date that party learns of the alleged breach.

If the parties do not reach an agreement under ADR, the complainant may file a complaint with the Director of the Civil Rights Center. The address for filing in the event of a breach in the agreement or lack of agreement follows:

Director, Civil Rights Center (CRC)  
U.S. Department of Labor  
200 Constitution Avenue NW, Room N-4123  
Washington, DC 20210

E. Waivers

The State Workforce Innovation and Opportunity Act Equal Opportunity Officer may grant a waiver, for good cause, if it appears that additional time is needed to make all reasonable efforts to resolve the complaint. An example of a good cause might be one of the following:

1. Mediation may be the availability, or lack of, of a mediator(s) during the time frame for the mediation period, or an acceptable conflict with the time frame by the complainant;
2. Investigations may be issues with schedules for interviews or availability of staff to conduct an investigation.

The waiver may be requested by the complainant, the respondent, service provider, mediator or the State Workforce Innovation and Opportunity Act Equal Opportunity Officer. Waivers must be agreed to and signed by both the complainant and respondent.

F. Administrative Decision

The State will have **ninety (90) days** from the date the complaint was received to issue a decision.

The Commissioner of the Department of Labor and Industry will issue the final decision based on recommendations from the Workforce Innovation and Opportunity Act Equal Opportunity Officer.

**III. Service Provider and Employer Responsibilities**

In order to meet the complaint processing requirements in the Workforce Innovation and Opportunity Act Equal Opportunity and Nondiscrimination Regulations at **29 CFR Part 37.77** and Montana's Equal Opportunity and Nondiscrimination Methods of Administration all Workforce Innovation and Opportunity Act Title IB funding recipients including: WIOA Title IB providers of intensive and training services; and employers including private-for-profit employers of Workforce Innovation and Opportunity Act participants *must* adopt this complaint procedure for complaints alleging violations of any prohibited factor under the equal opportunity and nondiscrimination

provisions of the Workforce Innovation and Opportunity Act. Adoption of these elements should be noted in personnel handbooks.

#### Designated Equal Opportunity Officers

Workforce Innovation and Opportunity Act Title I adult, youth and dislocated worker service providers as defined in Equal Opportunity and Nondiscrimination Regulations at 29 CFR Part 37.4(REGS NOT OUT YET) are not required to designate an Equal Opportunity Officer with the same responsibilities as the State designated Equal Opportunity Officers. However, they must assign an individual the responsibility of;

1. ensuring equal opportunity and nondiscrimination is applied to everyone;
2. assisting the individual in completing the Complaint Information Form (DL 1-2014a) and advising them of their right to file a complaint with the State Workforce Innovation and Opportunity Act Equal Opportunity Officer OR the Civil Rights Center; and
3. serving as liaison for Equal Opportunity and Nondiscrimination matters between the agency and the State Designated Equal Opportunity Officer. As liaison that individual will be the contact person during due process activities.

#### IV. Complaints Alleging Retaliation, Intimidation or Reprisal

Complaints alleging retaliation for taking actions or participating in any action to secure rights protected under the equal opportunity and nondiscrimination provisions found in Section 188 and 29 CFR Part 37 of the Workforce Innovation and Opportunity Act may be filed using the procedures described above.

APPENDIX 4

Staff Name/Title	Responsibilities	Percent of Time Federal	Percent of Time State
<p><b>Michael D. Myers</b> State Program Manager  (Reports to the Director of Field Operations)</p>	<p>Provides leadership, management and direction for the Montana Experience Works program. Responsible for achieving national and state goals and objectives. Established state’s goals and priorities; implements policies and programs; manages budgets; responsible for staff selection, training and development; ensures program compliance; prepares reports and program analyses; acts as primary liaison with Montana Dept. on Aging, Dept. of Workforce Development and One Stops, and other state agencies; develops effective cooperative relationships and linkages; enhances public awareness of SCSEP and older worker issues.</p>	80	20
<p><b>Greg Poore</b> Office Administrator  (Reports to the Montana state manager)</p>	<p>Responsible for handling office administrative functions, including budget development and management as well as liaison with state SCSEP project manager (Greg is also the Office Administrator for Wyoming. As such his Montana allocation will not total 100%).</p>	44	11
<p><b>Charles Koehler</b>  <b>Clark Johnson</b> (Participant Services Specialists)</p>	<p>Interact with host agency supervisors on a quarterly scheduled basis to conduct a Community Service Training Review on individual participants.</p> <p>Interact with host agency supervisors and participants on a semi-annual basis to conduct JobReady Individual Employment Plan (IEP) reassessments, rating both skill levels attained by participants as well as rating their performance in the Community Service Training</p>	100  100	0  0

	Review section of the participants overall JobReady IEP.		
<b>Jackie Lynch</b>	Serves as the primary coordinating link between Experience Works/Montana and participants, host agencies, and communities served by the program. Recruits, enrolls, orients, assesses, and motivates program participants; develops host agency assignments and private sector jobs; coordinates services; implements policies and procedures; develops innovative projects; conducts public awareness activities, and provides job counseling and training.	88	12
<b>Linda Lang</b>		80	20
<b>Mardi Milligan</b>		79	21
<b>Russ Johnson</b>		70	30
Employment and Training Coordinators  (Reports to Montana state manager)			

**Area to Be Served:** Experience Works-Montana (EW) enrollees will be recruited from all counties in the project service areas. The Montana State SCSEP program will serve the following counties: 1) Big Horn; 2) Cascade; 3) Custer County; 4) Flathead; 5) Gallatin; 6) Lake; 7) Lewis & Clark County; 8) Missoula County; 9) Ravalli County; and 10) Yellowstone. To keep enrollment vacancies at a minimum EW conducts ongoing recruitment including but not limited to Montana Job Service Workforce Centers (American Job Center) community forums, special events, outreach to community and faith-based leaders

State SCSEP Counties served by each Employment Training Coordinator:

<b>Jackie Lynch</b>	<b>Linda Lang</b>	<b>Mardi Milligan</b>	<b>Russ Johnson</b>
Gallatin	Bighorn	Cascade	Lake
Lewis & Clark	Yellowstone	Flathead	Missoula
	Custer		Ravalli