



Department of
Job and Family Services

John R. Kasich, Governor
Cynthia C. Dungey, Director

Family Assistance Letter #143
OFFICE OF FAMILY ASSISTANCE
February 24, 2015

TO: Directors, County Departments of Job and Family Services

FROM: Kara B. Wentz, Deputy Director
Office of Family Assistance

SUBJECT: **TANF Summer Youth Employment Program**

We are pleased to announce the availability of Temporary Assistance for Needy Families (TANF) funding to support the Summer Youth Employment Program for 2015. With these funds, the Office of Family Assistance is offering an opportunity for county agencies to establish a 2015 Summer Youth Employment Program.

These dollars will enable county agencies to establish programs that allow low income TANF-eligible Ohio youth to gain valuable work experience while earning a paycheck to help meet basic need. This Family Assistance Letter governs the TANF Summer Employment Program and supersedes all previous letters.

All county agencies that intend to operate a TANF Summer Youth Employment Program must inform Matthew Cunningham at matthew.cunningham@jfs.ohio.gov in the Office of Family Assistance by **Friday, March 13, 2015** to qualify for participation and to ensure equitable distribution of funds.

FUNDING

A total of \$35 million in funding is available for the 2015 Summer Youth Employment Program. Funding will be made available through county TANF allocations and will be administered through Prevention, Retention and Contingency (PRC) programs.

LENGTH OF OPERATION

This program will operate from May 1, 2015 to October 31, 2015. Normal PRC allocation liquidation rules will apply.

DETAILS OF THE PROGRAM

To qualify for this program, county agencies must:

- Continue an existing Summer Youth Employment Program or develop a new Employment Program that will start no sooner than May 1, 2015;

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Columbus, Ohio 43215
jfs.ohio.gov

- Amend its PRC plan to include the Summer Youth Employment Program if the program is not included in the plan already;
- Follow state and federal TANF and PRC requirements, including rule 5101:1-3-16 of the Ohio Administrative Code;
- Complete reports regarding outcomes to be developed by the Office of Family Assistance; and
- Correctly code expenditures to the proper fiscal codes (codes and instructions will be forthcoming from ODJFS, Office of Fiscal and Monitoring Services).

COUNTY PRC PLAN

As noted above, participating counties must amend their PRC plans to include the Summer Youth Employment Program to use these funds. The PRC plan shall include a description of activities and services that are to be provided, and must establish the eligibility requirements for the participants. In defining eligibility criteria, a county's PRC plan must identify the income standard and any other criteria or limitation(s) the county specifies. As with any amendments to the PRC plan, amendments pertaining to the Summer Youth Employment Program must be submitted to the Program-Policy@jfs.ohio.gov mailbox.

TANF Purpose - the Summer Youth Employment Program meets the first two purposes of TANF:

1. To provide assistance to needy families so that the children may be cared for in their homes or the homes of relatives.
2. To end dependence of needy parents on governmental benefits by promoting job preparation, work and marriage.

Eligibility - A Summer Youth Employment Program funded through PRC shall only serve persons from a TANF-eligible family. The types of persons that may be served are:

- Youth ages 16-17, as long as the youth is a minor child in a needy family and is in school (youth may be 18 if they are a full-time student in a secondary school) ;
- Youth ages 18-24, as long as they are in a needy family that also has a minor child; or
- Youth ages 18-24 that have a minor child and are considered needy.

The youth served may be non-custodial parents as long as they are considered "needy" and have a minor child. "Needy" is not specifically defined by state or federal regulation but may be no greater than income at 200% of the federal poverty level.

Minor Child and Families are defined in federal and state regulations:

Minor child means an individual who: (1) Has not attained 18 years of age; or (2) Has not attained 19 years of age and is a full-time student in a secondary school (or in the equivalent level of vocational or technical training).

Families are defined by federal regulations and state law as follows: a minor child who resides with a parent, specified relative, legal guardian or legal custodian (a child may be temporarily absent from the home provided certain requirements are met); a pregnant

individual with no other children; or a non-custodial parent who lives in the state, but does not reside with his/her minor child(ren).

Foster Care: Youth in a foster care setting age 16 to 17 years of age or 18 years of age if they are a full-time student in a secondary school may be served under the TANF Summer Youth Employment Program. This guidance is only applicable to the TANF Summer Youth Employment Program and no other TANF or PRC program.

LIMITS FOR WAGE SUBSIDIES

Wages for the Summer Youth Employment Program are capped at \$10.00 per hour for this allocation. Performance bonuses or lump sum payments are not allowed.

Further, a county agency may not pay the youth directly because the funds are wage subsidies, which the U.S. Department of Health and Human Services has defined as payments to employers or third parties to help cover the costs of employee wages, benefits, supervision, and training. A county agency paying the youth directly, rather than reimbursing the employers, who would pay wages to the youth, would too closely resemble payments for cash assistance and engagement in work activities.

The Summer Youth Employment Program is a different program from the Workforce Investment Act (WIA) Summer Youth Employment Program. One of the key distinctions is who pays the wages to the youth. In the WIA Summer Youth Employment Program wages are paid by the agency and not the employer. However, should a county agency contract with a WIA agency as a third party contractor, the WIA agency may pay the wages to the youth as the employer of record.

SOFT SKILLS TRAINING & CAP

All county agencies are strongly encouraged to add a soft skills training component to their Summer Youth Employment Program. Soft skills training includes, but is not limited to, how to write a resume and cover letter, tips for interviewing and job etiquette. Soft skills training can be offered by the OhioMeansJobs Center, local workforce development agency, local workforce investment areas, vendors or employers. For example, if an OhioMeansJobs Center offers regular soft skills classes, it may not add to the cost to include a small number of participants in the training classes.

Starting this year, ten percent (10%) of the county's allocation may be used for paying for soft skills. It is still encouraged that counties leverage WIA services as much as possible. If a county uses part of the allocation to pay for soft skills, they need to be cognizant that these services must meet the definition of "non assistance" and be limited in duration and time. A youth or young adult shall not receive more than thirty (30) days of soft skills services through TANF funding.

WIA CO-ENROLLMENT

It is recommended that the county agency identify existing resources and assess how it can leverage and maximize training resources. It is also recommended for the county agency to partner with its local workforce development agency to determine if the Summer Youth Employment Program participants are eligible for WIA services and, whenever possible, co-

enroll eligible participants into WIA to assist in achieving the desired training component. Another benefit to co-enrolling participants in the WIA program is that they will have access to other services, such as supportive services and follow-up services, which will assist in making their participation in the Summer Youth Employment Program even more successful.

OHIOMEANSJOBS.COM

As required last year, all youth participating in the Summer Youth Employment Program must be registered on the OhioMeansJobs website. Upon registration in OhioMeansJobs.com, youth will be issued a virtual backpack in which they can store documents, career plans, assessments, a career profile, and other information from their career exploration and job searches. From the virtual backpack, the youth will have access to many career exploration and planning tools.

Some of these tools are listed below:

- **Resume** – Tools that assist in developing and posting a resume.
- **Training Center** – Hundreds of assessments and soft skill tools to help obtain a career.
- **Career Planning** – Assistance with exploring different careers which includes: identifying the skills and training needed to obtain and salary to expect.
- **In-Demand Jobs** – Information on Ohio's in-demand jobs, which offer good pay and a promising future.
- **Career Profile** – Helps to identify which jobs match the individual's interests.
- **Occupation Search** – Provides assistance in finding helpful information about different jobs like the training/education required, salary range, number of openings each year, skills needed, and personality traits.
- **School Search** – Provides assistance to search for training and/or university programs available.
- **Employment Program Search** – Provides assistance in finding possible funding/scholarships to cover the cost of training and education.
- **Budget Calculator/Target Salary** – Assists individuals in determining the salary needed to cover their expenses.

The youth will be able to access the tools necessary for participation by going to www.ohiomeansjobs.com and a confirmation of their registration will need to be incorporated into the county agency reporting. Parental or legal guardian consent is required for youth to register in OhioMeansJobs. It is recommended that the general application for this program be modified to obtain consent.

COUNTING OF INCOME FOR PUBLIC ASSISTANCE PROGRAMS

Food Assistance: Pursuant to rule 5101:4-4-19 of the Ohio Administrative Code, income received from the Summer Youth Employment Program is considered countable earned income for the food assistance program, except for those food assistance participants 17 years old or younger who are enrolled in secondary school.

Cash Assistance: Pursuant to rule 5101:1-23-20 of the Ohio Administrative Code, earnings received from participation in Summer Youth Employment Program are countable in determining Ohio Works First eligibility and level of benefits when the participant is a minor parent or does not meet the definition of a minor child. Income received from the program by

non-parent minors who meet the definition of a minor child (because the minor is either under 18 years of age, or is age 18 and attending high school full time) is excluded from the determination of Ohio Works First eligibility for the family.

ADMINISTRATIVE COSTS

The Summer Youth Employment Program funding does not include TANF administration. Federal regulations define what is considered TANF administration and they are also set forth in rule 5101:9-6-08.8 of the Ohio Administrative Code.

The following activities and/or expenses are considered TANF administration and cannot be charged to this allocation:

- Costs associated with eligibility determination activities;
- Salaries and benefits of staff performing administrative and coordination functions;
- Preparation of program plans, budgets, reports and schedules, and the monitoring of program and projects;
- Fraud and abuse units;
- Services related to accounting, litigation, audits, management property, payroll, personnel, procurement and public relations;
- Costs of goods and services and travel costs required for official business and the administration of the program unless excluded under paragraph (A) of rule 5101:9-6-08.8 of the Administrative Code; and
- Management information systems not related to the tracking and monitoring of the program.

Costs considered to be TANF administration may be charged to county TANF Administration allocations pursuant to rule 5101:9-6-08.8 of the Ohio Administrative Code.

ALLOWABLE COSTS

Allowable costs under this program include:

- Payments to employers for wages (at no higher than \$10.00 per hour) and fringe benefits;
- Payments to third parties to operate the program;
- Recruitment and development of employers for the program;
- Other ancillary services which are offered by the employer to the summer youth employment participants, including:
 - Work related items such as uniforms, tools, licenses or certifications;
 - Case management activities related to the program; and
 - Job coaches and mentors.
- Worker compensation expenses;
- FICA;
- Direct supervision and training costs; and
- Transportation costs to and from the work site.

Costs, such as, other subsidized employment wages, child care, and transportation related to employment must adhere to time limits contained in 45 CFR 260.31, and can only be offered to a youth or young adult for a period of four months or less.

The cost of health insurance for youth may not be charged against this allocation; however, the cost of health insurance for staff employed by a third party to operate the program can be charged against this allocation.

THIRD PARTY PROGRAM OPERATION

A county agency may enter into a contract or grant with a third party provider. In the agreement, the county agency may pay for the third party's costs to administer or operate the program so long as those costs do not include the items considered as TANF administrative costs pursuant to rule 5101:9-6-08.8, which includes eligibility determinations. Please see attachment A to this letter for further information on grant and contracting options.

Any questions concerning procurement and contracting should be referred to the ODJFS Fiscal Supervisor assigned to your agency or to the Technical Assistance Section in the Office of Fiscal and Monitoring Services, Bureau of County Finance and Technical Assistance. Several options may exist for a county agency concerning selection of partnering agencies. For further guidance on procurement, please refer to the Fiscal Administrative Procedure Manual under Local Administration: The manual can be accessed at: <http://emanuals.odjfs.state.oh.us/emanuals/>. Under Local Administration - click on Fiscal Administrative Procedure Manuals: Fiscal Administrative Procedure Letter (FAPL) 2; Ohio Administrative Code Rule 5101:9-4-07.

UNEMPLOYMENT COMPENSATION

ORC 4141.01(B)(3)(a) and OAC 4141-05-05 state that services must be provided for a nonprofit organization, the state or its instrumentalities to be excluded for unemployment purposes. Therefore, wages paid to youth in a work-relief or work-training program by a for-profit organization are covered wages and must be reported, and contributions paid, for those individuals in the work-relief or work-training programs. In addition, the wages paid to these individuals may be used in determining an unemployment claim.

The key decision point is determining who "is the employer of record". For *unemployment purposes*, the employer of record is the entity that has direction and control over the participating individuals in the summer youth program, or more simply put; hires and/or would dismiss any individual whose performance was unsatisfactory. The next key point is determining if the employer of record is a non-profit or governmental entity. Here are some examples that should guide your agency in determining whether or not the wages paid to the youth are covered for unemployment compensation purposes:

- If the employer of record is a "For Profit" entity then the services performed by and wages paid to the youth *would be covered* for unemployment and reported to ODJFS.
- If the employer of record is a "Not for Profit" entity then the services performed by and wages paid to the youth *would be excluded* for unemployment and should not be reported to ODJFS.

- If the employer or record is a “Governmental or Public” entity then the services performed by and wages paid to the youth *would be excluded* for unemployment and should not be reported to ODJFS.

For specific questions concerning unemployment compensation, a county agency may contact James Durbin, Assistant Chief, Contribution Section, Bureau of UC Tax at (614) 644-3709 or at james.durbin@jfs.ohio.gov.

REPORTING TOOLS

The reporting tool is online and may be accessed at <https://syep.jfs.ohio.gov/>. Reports will be due into the reporting tool by the **10th of each month**. Instructions for the reporting tool are attached: “SYEP_UserGuide”. Access must be given to the reporting tool. County employees and their partners must be identified and forwarded to FAP_Contracts@jfs.ohio.gov before you may access the database. Staff that had access last year will continue to have access for 2015. If a new partner has been selected please notify us of the new partners and which old partners are no longer working with this program. Non county department of job and family services or OhioMeansJobs employees may not email and request access on their own.

All information shall be in the reporting tool within thirty (30) days of the youth or young adult leaving the program.

EMPLOYER EVALUATION

In addition to the monthly reporting tool, employers will be responsible for completing an evaluation of the youth. The employer evaluation of the youth is contained in the reporting tool. Two sets of instructions are being provided for the employer evaluation. The first set titled “CountySurveyGuide” which are the instructions for county staff to complete the employer survey on file for their participating employers. The second set of instructions titled “EmployerGuide” is specific for employers to complete their own surveys in the tool without county assistance. County agency staff may give this guide to the participating employers.

All documentation is to be kept in case files at the county agency. There is no requirement to enter documentation into CRIS-E for the Summer Youth Employment Program.

PARTICIPANT SURVEY

Participants will have the opportunity to complete a survey through Survey Monkey. This survey should only be completed once. The participants shall complete the survey within thirty (30) days of leaving the program. The link for the survey is:

<https://www.surveymonkey.com/s/N3QKMCW>

CERTIFICATES OF COMPLETION

Each county agency is required to issue a certificate of completion to the participating youth who completed the summer youth program. The design of the certificate will be left up to each county agency. The certificate shall contain, at a minimum, the following items:

- The name of the program (Summer Youth Employment Program);
- The name of the youth;

- The dates of participation;
- The name of the employer; and
- Funding for this program was provided by the Ohio Department of Job and Family Services.

Staff should have youth add the receipt of the certificate to their resumes. OhioMeansJobs is able to search resumes by keywords, so the certificate will be searchable. Youth also should upload the certificates to the document section of their virtual backpacks.

ADDITIONAL REQUIREMENTS

Please be aware that all child labor laws and regulations do apply. An overview of child labor requirements can be referenced at <http://www.dol.gov/dol/topic/youthlabor/>.

RESOURCES

Individual questions about the 2015 Summer Youth Employment Program activities and PRC plans can be emailed to Program-Policy@jfs.ohio.gov. Information about state and federal requirements for the PRC program can be found in the PRC Reference Guide, at <http://jfs.ohio.gov/owf/prc/>.

For further information about the 2015 Summer Youth Employment Program, please feel free to contact Matthew Cunningham either by email at matthew.cunningham@jfs.ohio.gov or by phone at (614) 644-1296.

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