

# Comprehensive Case Management and Employment Program Compilation of Technical Assistance Q&As Sanctions

The Office of Workforce Development (OWD) in conjunction with the Offices of Family Assistance (OFA) and Fiscal and Monitoring Services (OFMS), have answered a variety of questions that have been asked through the CCMEPQNA email account. In an effort to share the most recent information and direction given, OWD is making available a transcript of all the questions that have been answered through the CCMEPQNA email account. This will help inform local officials and administrators and better assist in the delivery of Comprehensive Case Management and Employment Program (CCMEP) during the implementation phase.

**Q: Will WIOA-CCMEP customers be sanctioned or will it only be the required OWF customers that can be sanctioned for failure to participate?**

A: CCMEP is one program. However, those participants who come through the OWF door are the only ones who can be sanctioned. Those who come through the WIOA door will be in jeopardy of losing services, but are not sanctioned.

**Q: After attending CCMEP Implementation training, I believe there is some confusion amongst our staff regarding transitioning program participants from WIOA Youth and Ohio Works First into CCMEP. Specifically, eligibility for WIOA Youth that was determined at the time of enrollment as “in school” status would carry over into CCMEP as ISY, even if the youth has since graduated, correct? Additionally, does CCMEP funding have similar limitations toward spending for ISY as WIOA and would ISY be better served using TANF funds? What documents, specifically, are required for transitioning WIOA Youth participants into CCMEP? It was our assumption that we would not need to complete a Comprehensive Assessment and would simply be revising the ISS into an IOP, would we need income verification?**

A: Since there is no re-establishment of WIOA youth eligibility as part of the transition, a youth’s “in-school” or “out-of-school” status will stay the same, even if the youth’s situation has changed (e.g., they have graduated from high school). In other words, the status carries over from WIOA to CCMEP. The spending requirements associated with the WIOA youth program still remain, but only with the WIOA portion of the funds. WIOA-transitioned CCMEP participants do not need to complete the comprehensive assessment (they already did an objective assessment) or the WIOA youth intake form (eligibility was already completed). The IOP does not have to be done until December 31, 2016, unless changes to the ISS are needed or TANF funds will be utilized. In these two situations, the IOP will be completed.

**Q: We have a youth who at time of enrollment was age 17 and a junior in high school. She is now 18 and will be a senior in high school this coming school year. In terms, of being a current WIOA youth, CCMEP effective July 1 ...what do we do with her? Does she become a CCMEP participant as of July 1? Etc.**

A: If the case is active and your local area has decided to continue to serve her, you would convert her to CCMEP and the lead agency on July 1. Based on the information you provided, you would continue to serve her as an in-school youth as it pertains to WIOA-funded services. During the transition, you can use the participant's pre-existing, WIOA Individual Service Strategy (ISS) until December 31, 2016, unless (a) you need to change the services she receives, or (b) you choose to use TANF funds to pay for her services. If you choose to take steps (a) or (b) in the previous sentence, you would then be required to create an Individual Opportunity Plan (IOP) for the participant. All ISS's must transition to IOPs on December 31, 2016, and all CCMEP customers for that point forward must have an IOP.

**Q: How do sanctions affect CCMEP eligibility and participation?**

A: For existing CCMEP participants: If a work-eligible is in CCMEP and then then gets sanctioned, they would remain in CCMEP (if/until they met an exit reason) and the Lead Agency could continue to utilize TANF funds for as long as the sanctioned individual remained TANF eligible in accordance with 14-1-02(D)(6). For Individuals under a sanction trying to enter CCMEP: An individual under an OWF sanction could not initially enter CCMEP through OWF because they would not be either a work-eligible or in receipt of OWF for the duration of the sanction. The individual could of course, enter CCMEP through PRC or WIOA Youth, and TANF funds could be used if the individual was TANF eligible in accordance with 14-1-02(D)(6). In other words, the OWF sanction in and of itself does not end an individual's TANF eligibility.

**Q: In a 2 parent scenario where one is CCMEP and the other is WEP required and both fail and are sanctioned:**

**Are both sanctions "primary" sanctions on AEOIE or does one have to be secondary. If so, which one?**

A: If either, or both, work eligible individual (CCMEP or non-CCMEP) is assigned to work activities and subsequently fail to participate in the assigned hours, then it would result in a sanction of the entire OWF AG. In a two parent household, the primary and secondary sanctioned parents would be decided by the county agency and would follow the same logic that applies today to a 2 parent AG would both simultaneously fail their OWF requirements.

**Q: Does the sanction show up on the 518 report that the WEP worker is listed on even though the CCMEP client is not listed on this report?**

**Example: 1 parent is CCMEP required and the other is WEP required. The CCMEP client fails to participate and is sanctioned (the WEP participant is completing their assigned hours/activities).**

A: If either, or both, work eligible individual (CCMEP or non-CCMEP) is assigned to work activities and subsequently fail to participate in the assigned hours, then it would result in a sanction of the entire AG. As a result, the sanction should appear on the 518 report of the non-CCMEP participant.

**Q: Since we are now going to be implementing sanctions for any assessments after the initial assessment, does this also mean that if we have an assignment to accept all unconditionally available income (as well as reapplying and completing future appraisal or assessments) in our IOP for a CCMEP individual that failure to do so will also result in a sanction? 5101:1-3-14(B)(1)**

A: No, in OAC rule 5101:1-3-14(B)(1)(d) a failure or refusal to accept unconditionally available income will result in a penalty and a denial or termination of OWF benefits.

**Q: Is there any penalty for an individual who is enrolled in CCMEP who refuses to accept a reasonable job offer (either TANF or WIOA)?**

A: For OWF recipients who are work eligible, a failure or refusal to accept unconditionally available income will result in a penalty and a denial or termination of OWF benefits OAC rule 5101:1-3-14(B)(1)(d). There is not a similar penalty under WIOA.

**Q: Can I please get clarification on the sanction policy with regard to a CCMEP client. It was my understanding that the client is then no longer eligible for CCMEP when we impose an OWF sanction for non-compliance with a CCMEP activity. Are they still required to comply with CCMEP? Are they exited at the time of the sanction or do they follow the rules for a traditional OWF client? I read through rule 5101:14-1-06 but I'm still a little confused.**

A: For existing CCMEP participants: If a work-eligible is in CCMEP and then then gets sanctioned, they would remain in CCMEP (if/until they met an exit reason) and the Lead Agency could continue to utilize TANF funds for as long as the sanctioned individual remained TANF eligible in accordance with 14-1-02(D)(6). For Individuals under a sanction trying to enter CCMEP: An individual under an OWF sanction could not initially enter CCMEP through OWF because they would not be either a work-eligible or in receipt of OWF for the duration of the sanction. The individual could of course, enter CCMEP through PRC or WIOA Youth, and TANF funds could be used if the individual was TANF eligible in accordance with 14-1-02(D)(6). In other words, the OWF sanction in and of itself does not end an individual's TANF eligibility.

**Q: Is there an accepted definition of "reasonable effort" to make contact to attempt to provide services, either in the number of attempts or the amount of time passed?**

There is not state-suggested number of times. We suggest you develop a reasonable policy within your agency and consistently follow it for all customers.

**Q: As we are the Workforce Development Agency as well as the Lead Agency in both Mahoning and Columbiana county, when the OWF-work required referrals come to us, they have a signed SSC with the CDJFS that is in effect until they sign the IOP with us. For the no-shows, we are trying to determine who is determining the sanction. Would they fall under the CDJFS SSC's sanction/complaint procedure, with us providing the documentation of non-compliance? (Much like a worksite would)**

A: Rule 5101:14-1-05, (G)(4) States:

"When a mandatory OWF participant fails or refuses without good cause to comply with the terms of an individual opportunity plan, the lead agency shall notify the county department of job and family services of each failure or refusal. and shall provide the county department of job and family services with information necessary to impose a sanction in accordance with rule 5101:1-3-15 of the Administrative Code. When a program participant is subject to a sanction the lead agency shall:

(a) Be the sole determiner of good cause; and

(b) Participate in the state hearings process in accordance with division 5101:6 of the Administrative Code.”

**Q: Has something changed since the clarification below from TANF? “There are certain situations which are not subject to a three-tier sanction because it is specifically addressed in statute as a penalty. This includes failing to cooperate with an assessment/reassessment interview. Please read the preamble paragraph in OAC Rule 5101:1-3-14(B) It is not permissible to sanction an AG for failure to keep an assessment appointment.”**

A: The technical assistance from 7/13/2012 is correct, a failure to attend an assessment would result in an OWF penalty and not a sanction (OAC 5101:1-3-14).