

Comprehensive Case Management and Employment Program Compilation of Technical Assistance Q&As Work Experience

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: I assume that this refers to our agency ... BCDJFS ...as the lead agency ...can't directly pay the participant directly ... correct? But the Belmont County CAC as the provider of WIOA work experience can pay the participant directly in subsidized employment with TANF/WIOA funds ... correct?

A: Belmont CDJFS, as lead agency for CCMEP, may not directly pay youth participants in paid work experience, regardless of whether the work experience is funded by TANF or WIOA. However, Belmont CAC, as the procured provider for work experience, may directly pay CCMEP participants.

Q: Under federal WIOA law, the lead agency can bid on work experience and provide work experience and pay the participant directly using WIOA funds. How can this be disallowed under CCMEP?

A: When merging the two programs we needed to ensure compliance with both. This is not an allowable use of TANF funds. Therefore, to remain consistent with the common client experience this requirement has been extended to all CCMEP participants.

Q: Pike CDJFS is the lead agency for the county with regards to CCMEP and Pike Community Action is the workforce development agency. Pike Community Action planned on being the employer of record in paying wages directly to participants for work experience. Based on Q&A #17 (quoted below) from the CCMEP Program Frequently Asked Questions (FAQs) Updated as of 3/24/2016 and the definition of participating agencies in OAC 5101:14-1-01 Section (R) (below), it doesn't appear that either agency could be the employer of record in paying youth directly for work experience. Do you mind confirming?

A: If the community action agency is the procured provider, then they would be able to directly pay the customer. There must be a separation between the participant and the lead agency. A procured provider is enough separation.

Q: If a WIOA youth case is still open as of 12/31, does the minimum 20 hour participation requirement apply? If so, this is more bureaucracy. The WIOA participant's WIOA services do not need to be interrupted and made more complex. What if the youth is enrolled in training at a local college and

attending 12 credit hours per week? We are going to have to make the participant do something to equal 20?

A: The 20-hour requirement begins when an IOP is developed and signed. Since an IOP must be completed by December 31, the 20-hour activity requirement will begin then. So, a participant enrolled in training will have class time (12 hours), homework/study time, and travel time – all which will count toward the 20 hours. Therefore, the impact on the participant will be minimal.

Q: When and how does the 20 hour minimum CCMEP requirement apply to carry-over WIOA youth?

A: At the completion of an OIP.

Q: My fiscal person is asking this question to fiscal also, but, what are our options for compensating the participants for subsidized employment. We have to describe our plan for this and I am unsure of what our options are.

A: You may not directly pay participants. If you procured a service provider they may directly pay as long as the procured provider is not the CDJFS.

**Q: Does a work experience site have to be within in the county of the local WIOA youth program?
Example: Can Union County partner with an employer in Marion County for work experience?**

A: Nothing in the law or regulations prohibits a CCMEP youth services provider from partnering with an employer in another county to provide work experience.

**Q: How do wages (using TANF funds or WIOA funds) paid to a CCMEP participant in work experience impact the participant's receipt of OWF cash and food stamps?
Do the wages count against their benefits?**

A: The income received by individuals participating in programs under WIOA are not counted in the SNAP or OWF budget unless the individual is participating in an on-the-job training program. If this is an on-the-job training program, earnings received by individuals under age 19 are excluded if they are under parental control of an adult AG member. OAC 5101:4-4-13 & 5101:4-4-19

Q: Are CCMEP-TANF participants exempt from SUTA tax? I know WIOA youth are because it is a training activity and not employment. Since TANF youth receive the same services, they should be, but I wanted to confirm before I advised the employer of record who is issuing checks this week.

A: After we spoke to OUIO on Wednesday, they had another internal discussion regarding your question about SUTA. As a result of that additional discussion, they are now taking the position that leans away from a more literal interpretation of the law in question, in favor of a position that takes a more "spirit of the law" interpretation. They now take the position that the employer (the entity that gives direction and has control over the individual) is our agency, instead of the for-profit company that may receive and work with these youth as part of youth's services. They are now saying that the wages of these individuals should not be reported on any quarterly wage detail reports. In doing so, they are now citing a definition of a work relief or

work training program that can be found at: <http://codes.ohio.gov/oac/4141-5-05v1> . This is different than the response you received from us on Wednesday.

We do want to make it clear that OUIO still feels that the language in the current law, if read literally, still makes this issue somewhat ambiguous, and they plan to seek a change in the Ohio Revised Code to add clarity. However, the position I have that stated in the previous paragraph is now the position they are taking at this point in time.

Q: I have a question regarding the payment of wages for CCMEP TANF eligible individuals. Do we treat this like the Summer Youth Program where we reimburse for employer Medicare, OPERS, Worker's Comp expenses or are we only reimbursing for wages moving forward?

A: You treat it like you would the Summer Youth Program. You would reimburse for employer Medicare, OPERS, Workers' Compensation expenses, etc.