

5101:1-2-40.3 Refugee social services program (RSSP): County department of job and family services (CDJFS) responsibilities.

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- (A) Management responsibilities for counties receiving RSSP allocations.
 - (1) Assure that services and benefits that are designed for or used by refugees are coordinated within the CDJFS.
 - (2) Assure that required services and benefits are available.
 - (3) Assure communication and collaboration among refugee resettlement agencies (RRA), social service agencies, health providers and public agencies serving refugees.
 - (4) Assure that RSSP funds are used primarily for employability services that are designed to assist refugees in obtaining jobs within one year of becoming enrolled in services in order to achieve and maintain economic self-sufficiency.
 - (5) Assure that all refugees have access to services and are not discriminated against based upon their limited English proficiency in accordance with Title VI of the Civil Rights Act of 1964.
 - (6) Assure that an interpreter is provided at no cost to the refugee unless the refugee chooses to provide their own interpreter.
 - (7) Assure that services do not duplicate those services being provided by RRA's for refugees under their sponsorship.
 - (8) The CDJFS will designate a person(s) to be responsible for the provision of social services to refugees.
- (B) Reporting requirements for secondary migrants.
 - (1) The CDJFS with refugee allocations will provide the Ohio department of job and family services (ODJFS) with the information needed to complete its reports to the U.S. department of health and human services, office of refugee resettlement (ORR). Refugee service levels and expenditures data will be provided to ODJFS on a quarterly basis. Reporting requirements, and due dates are found in the administrative procedures manual, including APM 5502.
 - (2) The number of secondary migrants being serviced by RSSP must be tracked and reported to the state refugee coordinator on a quarterly basis. This

information is provided to the ORR and affects Ohio's receipt of federal refugee funding. The definition of a secondary migrant can be found in paragraph (B)(3) of rule 5101:1-2-40.2 of the Administrative Code. The reporting will be completed as follows:

(a) If the refugee is in receipt of Ohio works first (OWF), prevention, retention and contingency (PRC) hard services, disability financial assistance (DFA), medicaid disability, medical assistance, or food stamp benefits, required information on the secondary migrant will be tracked through the client registry information system enhanced (CRIS-E). Secondary migrants are tracked by the alien registration number and social security number fields in CRIS-E. The RSSP case manager shall verify with the CDJFS worker handling the cash, medical or food stamp case that the alien registration number has been properly entered into CRIS-E.

(b) Agencies serving secondary migrants who do not receive any other benefits except RSSP services will track and report the required data directly to the state refugee coordinator on a quarterly basis. The suggested format of a tracking form is located in "Appendix B" of this rule.

(C) Contracting with the provider.

(1) A CDJFS may contract with the "appropriate providers of employability services" that is defined as an agency providing employability services that are:

(a) Designated to assist refugees in becoming employed;

(b) Established programs of job referral to, and job placement with private employers; and

(c) Determined acceptable by the ODJFS or the CDJFS. This entity is referred to as a "provider" throughout the RSSP rules.

(D) Use of the JFS 07349 "Refugee Case Management Referral" (rev. 3/2002).

(1) The JFS 07349 is a form used to communicate information between the CDJFS worker handling the cash, medical or food stamp case, the RSSP case manager, and the provider.

(2) When an agency becomes aware of a change in circumstances which may affect the refugee's mandatory service participation status, such information shall be communicated to the CDJFS refugee case manager via the JFS 07349. The final determination of refugee status will be made by the CDJFS worker handling the RCA case in accordance with rule 5101:1-2-40 of the Administrative Code.

(3) When the RSSP case manager receives the JFS 07349 from the CDJFS worker handling the cash, medical or food stamp case, the case manager will determine if the refugee has an open service case. If there is no open case, the case manager will schedule an appointment with the refugee to do an employability assessment and employability plan. If the refugee has an open RSSP case and is now a mandatory participant, the case manager shall notify the provider of the change in status.

(E) Employability services.

The CDJFS shall provide or arrange for employability services to mandatory participants as set forth in rule 5101:1-2-40.4 of the Administrative Code and voluntary participants as set forth in rule 5101:1-2-40.5 of the Administrative Code. The CDJFS shall identify the required services needed by the participant in the employability plan. The CDJFS shall arrange for the following employability services when needed by the participant:-

(1) Case management services, including the determination of appropriate services to refer a refugee to, referral to such services, and the tracking of the refugee's participation on such services.

(2) The development of a family self-sufficiency plan and individual employability plan, world-of-work and job orientation, job clubs, job workshops, job development, referral to job opportunities, job search, and job placement and follow-up.

(3) Employability assessment services, including aptitude and skills testing.

(4) On-the-job training, when such training is provided at the employment site and is expected to result in full-time, permanent, unsubsidized employment with the employer who is providing the training.

(5) English language instruction, with an emphasis on English as it relates to obtaining and retaining a job.

(6) Vocational training which shall not exceed one year. Vocational training intended to meet the requirements of employability services must be appropriate to local labor market needs and must be of sufficient quality to meet the requirements of local employers.

(7) Skills recertification, when such training meets the criteria for appropriate training. If a refugee is a professional in need of professional refresher training or other recertification services in order to qualify to practice his or her profession in the U.S., the training may consist of full-time attendance in a college or professional training program, provided that:

- (a) The training is part of the refugee's employability plan;
- (b) The training does not exceed one year's duration, including any time enrolled in such program in the U.S. prior to the refugee's application for assistance;
- (c) The training is specifically intended to assist the refugee in becoming certified in his or her profession; and
- (d) If the training is completed, it can realistically be expected to result in such certification.
- (8) Child care, when necessary for participation in an employability service or for the acceptance or retention of employment.
- (9) Transportation, when necessary for participation in an employability service or for the acceptance or retention of employment. Drivers' education is an allowable service.
- (10) Translation and interpreter services, when necessary in connection with employment or participation in an employability service.
- (11) Assist in obtaining employment authorization documents.
- (F) Other social services.

The CDJFS may provide or arrange for the following services provided that they are included in the employability plan:-

- (1) Information and referral services.
- (2) Outreach services, including activities designed to familiarize refugees with available services, and facilitate access to these services.
- (3) Emergency services such as:
 - (a) Assessment and short term counseling to refugees or families in a perceived crisis;
 - (b) Referral to appropriate resources; or
 - (c) Assistance in making arrangements for necessary services.
- (4) Health-related services such as:
 - (a) Information and referral to appropriate resources;

- (b) Assistance in scheduling appointments and obtaining services; and
 - (c) Counseling to refugees or families to help them understand and identify their physical and mental needs and maintain or improve their physical and mental health.
- (5) Home management services such as:
- (a) Formal or informal instruction to refugees or families in the management of household budgets;
 - (b) Home maintenance;
 - (c) Tenants' rights; and
 - (d) Other consumer education services.
- (6) Child care, when necessary for participation in a service other than an employability service.
- (7) Transportation, when necessary for participation in a service other than an employability service.
- (8) Translation and interpreter service, when necessary for a purpose other than in connection with employment or participation in an employability service.
- (9) Case management services, when necessary for a purpose other than in connection with employment or participation in employability services.
- (10) Any additional service, aimed at strengthening and supporting the ability of a refugee individual, family, or refugee community to achieve and maintain economic self-sufficiency, family stability, or community integration which has been demonstrated as effective and is not available from any other funding source. Requests for these services must be submitted to and approved by the state refugee coordinator.
- (11) Citizenship and naturalization preparation services, including:
- (a) English language training and civics instruction to prepare refugees for citizenship;
 - (b) Application assistance for adjustment to legal permanent resident status and citizenship status;
 - (c) Assistance to disabled refugees in obtaining disability waivers for English and civics requirements for naturalization; and

- (d) The provision of interpreter services for the citizenship interview.

The services set forth in paragraphs (F)(1) to (F)(10) of this rule can be provided to refugees up to sixty months from the date that the refugee entered the U.S.

The services set forth in paragraph (F)(11) of this rule can be provided to refugees beyond the sixty months from the date the refugee entered the U.S.-

- (G) Employment-related case management.

- (1) A CDJFS shall, as a condition of funding, provide or arrange for employment-related case management to both mandatory and voluntary participants.

- (2) "Employment-related case management," includes the following activities:

- (a) Determining eligibility for services;

- (b) Providing hearing notices in accordance with division-level designation as set forth in Chapter 5101:6 of the Administrative Code;

- (c) Assisting service providers in the development of employability and service plans and exercising final approval of the employability and service plan submitted by the provider;

- (d) Making refugee referrals to service, educational and employment resources;

- (e) Monitoring service delivery and tracking refugee progress through the service plan;

- (f) Receiving, coordinating and transmitting information regarding changes in a refugee's receipt of benefits provided by the CDJFS, participation in services, job search and employment placement. This transmission of information is completed with the use of the JFS 07349 form as set forth in paragraph (D) of this rule;

- (g) Providing the JFS 04074 "Notice of Approval of your Application for Assistance" (rev. 5/2001) along with a copy of the signed employability plan. If the refugee is determined ineligible for RSS, a copy of the JFS 07334 "Notice of Denial of your Application for Assistance" (rev. 4/2003) is provided to the refugee;

- (h) Documenting the placement of a refugee into employment. This documentation shall be attached to the employability plan. Such documentation shall include the name of the employer, the beginning date of employment and

starting wage. A JFS 07349 form must be sent to the CDJFS case manager, and a copy retained for the case record; and

(i) Documenting in the participant's RSS case file what employment related case management services have been provided to the participant.

(H) Good cause for failure or refusal to comply with a provision of the employability plan.

(1) The job or training assessment must be related to the physical and mental capabilities of the refugee to perform the task on a regular basis. Any claim of adverse effect on physical or mental health shall be based on written verification from a physician or licensed psychologist indicating that participation would impair the individual's physical or mental health.

(2) The total daily commuting time to and from home to the service or employment worksite must not normally exceed two hours, not including the transporting of a child to and from a child care facility or provider, unless a longer commute time is generally accepted in the community, in which case the round-trip commuting time shall not exceed the generally accepted community standards.

(3) The service or worksite to which the individual is assigned must not be in violation of applicable federal, state or local health and safety standards.

(4) Assignments must not be made which are discriminatory in terms of age, sex, race, creed or national origin.

(5) Appropriate work may be temporary, permanent, full-time, part-time or seasonal if it meets the other requirements of this rule:

(a) The wage shall meet or exceed the federal or state minimum wage law, whichever is applicable, or if such laws are not applicable, the wage shall not be substantially less favorable than the wage normally paid for similar work in that labor market; and

(b) The daily hours of work and the weekly hours of work shall not exceed those customary to the occupation.

(6) No refugee shall be required to accept employment if:

(a) The position offered is vacant due to a strike, lockout, or other bona fide labor dispute; or

