



State of Alaska
Department of Labor and Workforce Development

Division: Employment and Training Services	Policy: 07-535
Subject: Senior Community Service Employment Program (SCSEP); Mature Alaskans Seeking Skills Training (MASST) Participant Termination	Pages: 4
Reference: 20 CFR Part 641 Final Rule	Effective: 5/16/2018
Approved:  Ed Flanagan, Director	 Date

1. Parties Affected

This policy applies to the Division of Employment and Training Services (DETS) staff and subrecipients of Senior Community Service Employment Program (SCSEP), Older Americans Act Title V funds administered through DETS.

2. Background

SCSEP, known in Alaska as Mature Alaskans Seeking Skills Training (MASST), is a program administered by the U. S. Department of Labor that serves unemployed low-income persons who are 55 years of age and older and who have poor employment prospects. Participants are provided part-time community service assignments which helps them develop skills and experience to facilitate their transition to unsubsidized employment. U.S. Department of Labor (DOL), Employee and Training Administration regulations, 20 CFR 641.580 requires staff and/or recipients provide each participant at the time of enrollment a written copy of its policies for terminating a participant for cause or otherwise, and must verbally review those policies with each participant.

3. Policy

Each SCSEP participant, at the time of enrollment, will be provided a written copy of this termination policy and grievance procedure, which will be verbally reviewed with DETS staff and subrecipients.

Termination of a SCSEP participant is under the direct authority of the SCSEP/MASST Program Coordinator. DETS job center staff must request termination of a participant through the Program Coordinator and cite the reasons for requesting the termination. The Program Coordinator will make the final determination on termination.

Subrecipients must be fair and consistent in the termination of participants. Participants may not be terminated from the program solely on the basis of their age nor shall the recipient impose an upper age limit for participation in the program.

Termination notices must inform the participant of the grievance procedure, and the termination must be subject to the applicable grievance procedures described in 20 CFR 641.910. The regulations do not permit any other reasons for involuntary termination.

A participant may be terminated or exited from the SCSEP/MASST program for reasons specified in this policy.

Participant Voluntary Separation. A participant may voluntarily separate or exit from SCSEP for any one of the following reasons:

- unsubsidized employment;
- relocation outside of the Service Area;
- retirement;
- health reasons;
- institutionalization;
- family reasons;
- incapacitation or death.

Participant Involuntary Termination. Participants may be involuntarily terminated from the local SCSEP Project (Project) for:

- providing false information to the Project;
- exceeding their durational limit (48 months in program);
- refusing to accept three job offers or referrals to unsubsidized employment consistent with the participant's Individual Employment Plan (IEP) and there are no extenuating circumstances that would hinder the participant from moving to unsubsidized employment; or
- failure to report unsubsidized employment;

OR

- the participant was found ineligible for enrollment during recertification; or
- staff or subrecipients incorrectly determined the participant to be eligible for the program.

Participants may be involuntarily terminated “for cause” due to:

- aiding competitor of host site or self-employment;
- annoyance of fellow participant or employee;
- endangering the lives of themselves or others;
- exceeding authority;
- failure to keep commitments;
- failure to report for training;

- falsification of time sheets or other official records;
- fighting or other physical aggression;
- gambling at the host site;
- imminent threat to health or safety posed by participant;
- incitement of fellow host site employees;
- incompetence or failure to respond to training;
- injury to host site by participant behavior to customer or client;
- insubordination, refusal to accept changed duties or location of host site;
- insubordination, refusal to accept disciplinary action;
- insubordination, refusal to increase production;
- insubordination, refusal to work training hours;
- insubordination, that is, intentionally refusing to carry out the direction or instructions;
- intentional disclosure of confidential or private information obtained from the host agency, subrecipient, or job center;
- lying, obscene/abusive, bullying of co-workers, harassing or threatening language or behavior;
- misbehavior or rudeness toward other employees or customers;
- non-compliance with substance abuse policy;
- participant unfit or unable to perform training duties;
- participant's misbehavior in the host site while off duty;
- physical violence or intentional destruction of property;
- possession of a weapon;
- refusal to comply with the IEP without good cause (except for violations of work referral);
- refusal to cooperate with the recertification, assessment, or IEP process;
- repeated refusal by the participant to perform specific actions;
- sexual harassment;
- sleeping during training hours;
- theft of property;
- threatening violence or committing a violent act;
- training abandonment or not performing duties;
- training under the influence;
- unauthorized possession of property belonging to the project or host agency work site;
- unauthorized release of confidential information obtained from project office or host agency;
- uncooperative attitude;
- unresolved dispute with host site supervisor or case manager;
- using community service site or DOLWD property for personal business;
- viewing pornographic sites or movies on host site computers;

- violation of a law;
- violation of break time including failure to return from an approved break by the required date without due notice or good cause; or
- violence, including but not limited to physical or extreme verbal violence at the training site.

Individual Employment Plan (IEP) “for cause” terminations include refusal to:

- accept training opportunities outlined in IEP;
- accept a new community service assignment to enhance skill development in support of IEP goals;
- accept supportive services that will enhance the participant’s ability to participate in a community service assignment consistent with IEP;
- participate in project-offered services such as job search or resume writing; or
- cooperate with the recertification, assessment, and IEP processes.

Voluntary Separation. Termination notice is not required to be given to a participant who voluntarily separates or exits from SCSEP. However, the participant must sign and date the SCSEP Exit Form. If it is not possible for the participant to sign the SCSEP Exit Form, then note the reason in the Exit Comments box or in a case note that the case worker signs and dates.

Procedures. Recipients must follow DETS SCSEP/MASST Participant Termination Procedures which may be located by going to the following link: <http://labor.alaska.gov/bp/procedures.htm>