



COUNTY OF LOS ANGELES WORKFORCE DEVELOPMENT, AGING AND COMMUNITY SERVICES



WORKFORCE DEVELOPMENT PROGRAMS DIRECTIVE

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NUMBER: WDP D19-17

Title V-Senior Community Service Employment Program (SCSEP) Work Parameters and Fringe Benefits

EXECUTIVE SUMMARY

This directive provides guidance and procedures for the Los Angeles County America's Job Centers of California (AJCC) contracted as Title V-SCSEP operators regarding the policy for work parameters and fringe benefits for all active SCSEP participants.

This directive replaced and supersedes Workforce Development Programs Directive WDP D18-31 Senior Community Services Employment Program (SCSEP) Work Parameters and Fringe Benefits dated December 31, 2018 and Program Memo SCSEP 02-14 Revised dated May 1, 2014.

REFERENCES

- Older American Act (OAA) 2006 Amendments - Title V, Section 502 (c)(6)(A)(i)
- AB1522 – The Healthy Workplaces, Healthy Families Act of 2014
- WDP D18-09 Title V-Senior Community Service Employment Program (SCSEP) Authorized Break In Participation Policy
- SCSEP Data Collection Handbook, Revision 7 (March 2017)

BACKGROUND

The purpose of this directive is to establish the SCSEP participant work parameters and fringe benefits that comply with the provisions of the 2006 Amendments to the Older American Act, California Department of Aging guidelines and AB 1522–The Healthy Workplaces, Healthy Families Act of 2014.

WORK PARAMETERS AND FRINGE BENEFITS POLICY AND PROCEDURES

The County of Los Angeles PSA 19 has established the Work Parameters and Fringe Benefits policy which includes guidance on holidays, lunch/break periods, sick leave, and training hours. This Work Parameters and Fringe Benefits Policy shall be applied fairly and equitably to all participants.

SCSEP FRINGE BENEFITS:

Holidays:

Participants are entitled to compensation for scheduled work hours during which a host agency's business is closed for a Federal holiday. If a Federally recognized holiday falls on the SCSEP Participant's regular day off, holiday time is not paid. If the Host Agency is closed for a Federally recognized holiday and the SCSEP Participant is scheduled for work, the Participant must be compensated in the form of payment or rescheduled work time. For example, if a participant's weekly schedule is Monday through Thursday, 5 hours per day, and a Federal Holiday falls on a Monday and the Host Agency is closed, then the participant will still receive compensation for the 5 hours that they were scheduled to work on that Monday.

Participants, with the consent of the host agency, may elect to reschedule the lost hours due to host agency closing for reasons, such as holidays that are not federally recognized, to another day that the host agency is open. Make up hours must take place during the same pay period as the date of closure.

If the Host agency is open on a Federally recognized Holiday, SCSEP Participants should report for work if it is one of their regularly scheduled workdays, per SCSEP Data Collection Handbook, CSA Form, Topic 36, Rev. 7 (March 2017). Continuing with the example above, if the Federal Holiday falls on Monday and the Host Agency is NOT closed, the participant must report to the work site and complete their scheduled 5 hours of work.

SCSEP provides holiday pay for the following federal holidays:

- New Year's Day – January 1
- Martin Luther King Jr's Birthday – Third Monday in January
- Presidents' Day – Third Monday in February
- Memorial Day – Last Monday in May
- Independence Day – July 4
- Labor Day – First Monday in September
- Columbus Day – Second Monday in October
- Veterans Day – November 11
- Thanksgiving Day – Fourth Thursday in November
- Christmas – December 25

SCSEP Host Agencies shall only be closed on Federally recognized holidays, unless preapproved. If a Host agency is pre-approved to be closed for vacations, City shut-downs or religious holidays that are not Federally recognized, AJCCs must make arrangements to ensure any regularly scheduled Participant work hours for any non-Federally recognized holidays or closed site days are rescheduled for alternate days within the same pay period.

AJCCs shall provide WDACS with a written notice and request approval of any Host agency closure or disruption of Services for any vacations, city shutdowns or religious holidays that are not County recognized. This notice is to state the date and reason for the closure and to provide an action plan to ensure that delivery of Services is not disrupted and must be approved by County prior to implementation. The written notice and request for approval must be provided to County at SCSEP@wdacs.lacounty.gov at a minimum of one week in advance of the closure.

Paid Sick Leave:

In compliance with the AB 1522: Healthy Workplaces, Healthy Families Act of 2014, Title V SCSEP participants are entitled to up to twenty-four (24) hours of paid sick leave each year of participation. The parameters for the paid sick leave are as follows:

- After 30 days from enrollment, all Title V SCSEP participants accrue 24 hours of paid sick leave.
- After the 90th day of enrollment in Title V SCSEP, all participants are eligible to utilize available paid sick leave hours.
- Sick leave hours do not accrue and do not carry over to the next year.
- Participants are not paid for unused sick leave.
- Any retaliation or discrimination based on a request or utilization of paid sick leave is prohibited.
- A Participant may request to use paid sick leave for themselves or to care for a family member. A participant may make an oral or written request to utilize sick leave as soon as practicable.

Lunch/Break Periods:

SCSEP provides participants with the following lunch/break periods during training hours:

- SCSEP participant with training hours of five (5) hours or more a day is allotted one unpaid thirty (30) minute lunch and one ten (10) minute paid break period;
- SCSEP participant with training hours of 3 ½ - 6 hours a day is allotted two (2) paid breaks at ten (10) minutes each;
- SCSEP participant with training hours of 3 ½ hours or less a day is allotted one (1) paid break for ten (10) minutes

The unpaid thirty (30) minute lunch parameters are as follows:

- Participant is relieved of all duties;
- Supervisor relinquishes control over training activities;
- Participant is provided with a reasonable opportunity to take an uninterrupted 30-minute break; and

- Supervisor does not impede or discourage participant from this uninterrupted 30-minute break.

For SCSEP training hours that do not exceed six (6) hours a day, the thirty-minute lunch break may be waived by mutual consent of both the participant and SCSEP administration.

Medical Examination:

SCSEP Participants are entitled to an annual physical examination as a fringe benefit at no cost and shall be paid out of the funding allotment set aside for Participant Wages or through Participant's own health insurance plan (if preferred by Participant). If a participant declines the annual physical examination, a signed waiver must be obtained.

Worker's Compensation:

Per SCSEP policy, workers compensation coverage is provided to all participants. If a participant is injured at the training site, or develops a medical condition related to the community assignment, immediately notify the training site supervisor and SCSEP case manager to complete the necessary forms.

SCSEP DOES NOT PAY WAGES FOR THE FOLLOWING:

- **Bereavement leave:** SCSEP Participants who suffer the death of family members or loved ones may take an unpaid leave.
- **Jury Duty:** A SCSEP Participant called for jury duty, may take an unpaid leave for the length that jury duty service is required. Upon the release from jury duty, SCSEP participant must provide a proof of jury service to SCSEP case manager and Host Agency supervisor.
 - Participant may be placed on break in participation during their jury duty service.
 - Any amount of jury duty pay is excluded as income for SCSEP eligibility purposes during recertification.
- **Voting:** SCSEP participant may take unpaid time off to vote.
- **Poll Worker:** SCSEP does not pay for poll worker participation.
- **Vacation:** SCSEP participants do not receive paid vacation leave.
- **Break in Participation:** An authorized Break in Participation (BIP) is an unpaid leave from SCSEP. Any leave that last four (4) days or more must be approved by the SCSEP case manager. A participant's failure to return to a training assignment within sixty (60) days may result in an involuntary termination from SCSEP. A request for extension of BIP may be made based on extenuating circumstances at the discretion of SCSEP administration. See Title V - SCSEP Break in Participation Policy Directive for more details.

- **Workers Compensation:** A worker's compensation injury may result in an approved break in participation. See Title V - SCSEP Break in Participation Policy Directive WDP D18-09 for more details.
- **Overtime:** The Fair Labor Standards Act (FLSA) defines overtime compensation as payment for more than 40 hours of work per week. As SCSEP participants engage in part time training hours only, SCSEP participants do not qualify for overtime.

WORK PARAMETERS

Telecommute:

Telecommuting is not a SCSEP Participant Benefit. Telecommuting is described as fulfilling job responsibilities and assignments at a site other than the assigned training site of an active Host Agency and is not allowed. SCSEP participants must complete training hours at an assigned training site.

Volunteering:

SCSEP policy prohibits a participant from engaging in volunteer work at his/her assigned Host Agency. SCSEP participants who choose to volunteer are directed to volunteer elsewhere; not at their assigned host agency.

Training Hours:

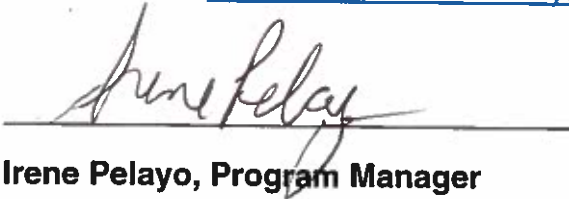
SCSEP Participant training hours must align with SCSEP Administration business hours; Monday through Friday, 8:00 am – 6:00 pm. Participants may not work on weekends or after business hours.

ACTION

Los Angeles County AJCCs operating SCSEP must ensure that the requirements described herein are communicated throughout operations.

INQUIRIES

Inquiries regarding this directive and the policies and procedures described herein should be directed to SCSEP@wdacs.lacounty.gov



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Workforce Development