

# Alaska Temporary Assistance Program Work Experience

## **INTRODUCTION**

This publication is a guide for employees of the Department of Health and Social Services, its Service Providers, and the various organizations that arrange, monitor and participate in Work Experience placements for Alaska Temporary Assistance Program recipients. It also provides information for work sites that accept Work Experience placements.

## **BACKGROUND**

Participants in the Alaska Temporary Assistance program may participate in either Community Work Experience (CWE) or Business Work Experience (BWE). The differences between these options are described below. However, in general, both activities allow participants to meet their Temporary Assistance work requirement, acquire job skills and recent work experience and network with potential employers. Participants acquire knowledge, skills and work ethics that employers look for when hiring new employees. Whenever possible the work assignment includes work duties that match the participant's vocational interests, and enhance their skills and ability to find paid employment.

Work Experience activities can be a full-time or part time activity. It can be used to supplement the hours of paid employment, serve in place of paid employment when work is not available, or it can be used in conjunction with other work or self-sufficiency activities to ensure full-time participation.

While Work Experience is a useful activity, paid employment is preferred. The work site supervisor and participant need to be aware that the Work Experience placement will end when paid employment becomes available.

## **CREATING A SUCCESSFUL WORK EXPERIENCE PLACEMENT<sup>1</sup>**

Work Experience provides the opportunity for individuals to gain work experience practical workplace skills in a range of occupations. The work experience placement can be a chance for people to gain their first exposure to the workplace or it can be part of career exploration for more experienced workers. It is important for the participant and the work services staff providing support, monitoring, and guidance to consider the work experience placement as employment.

Many work experience sites consider successful work experience participants in future hiring opportunities. The placement is also an invaluable source of personal and professional references for the participant as well as a chance to gain new and better skills that can make the difference finding paid employment.

Everyone has a role in making each Work Experience placement successful. The general guidance noted below applies to all participants in the Work Experience Placement, clients, case managers, job developers, and employers. Case managers should understand the individual's employment interests and work-related skills, knowledge and abilities prior to making the work experience placement. This should be an integral part of the initial employment assessment as well as being central to developing the Family Self-Sufficiency Plan (FSSP).

1. Job Developers/Case Managers identify and recruit employers who are genuinely interested in sponsoring work experience placements for an extended period of time. They facilitate the completion of the worksite agreements with the employer.
2. Job Developers/Case managers refer clients to recruited employers with positions that are the closest match for the individual's interests and skills.
3. Job Developers/Case managers complete the work experience placement form including the specific duties and factors required of the particular job the client will perform. If possible, case managers work with the employer to identify employees (workplace mentors) who assist in orienting the participant to their job duties and be available to observe and answer questions.
4. Employers start the participant's first day of Work Experience with a workplace orientation session: meeting supervisors, introductions to co-workers, discussion of the expected the daily schedule and the placement's duties and responsibilities.
5. Participants report to work on-time and follow all of the appropriate workplace personnel rules and business practices like regular employees.
6. Case managers monitor the individual's work experience placement and provide guidance and support necessary to ensure the placement's success.
7. Participants, upon completion of the work experience placement update resumes and application and begin a vigorous work search.

## **COMMUNITY WORK EXPERIENCE**

Community Work Experience is a work activity assigned or approved by the Division of Public Assistance or its Service Providers. All Community Work Experience activities must:

- Achieve a useful public purpose
- Contribute to the common good of the community
- Be monitored by a government agency, service provider, or certain types of non-profit organizations

Community Work Experience may not include:

- Union or anti-union activity
- Religious proselytism or evangelism
- Partisan or non-partisan political activity or campaigns

### **◆ Subsistence Activities**

Community Work Experience subsistence activities are considered a work activity when paid employment or other community work experience placements are unavailable. Subsistence activities are defined as the non-commercial, customary, and traditional harvest of wild, renewable resources for use as food, shelter, fuel, clothing, tools, or transportation. Community Work Experience subsistence activities must serve a useful public purpose and contribute to the common good of the community.

Individuals participating in subsistence activities do so on a purely **voluntary basis** and are not subject to penalties under the Alaska Temporary Assistance Program when they do not perform subsistence activities as expected. Verification of the Community Work Experience subsistence activities must be documented by an agency, organization, or individual. Please note that due to its **voluntary** nature, supportive service funds are not available (e.g., gas for snow machines, bullets, or fishing gear) if necessary to participate in subsistence activities.

### **◆ Court-ordered Community Work Service**

Court-ordered community work service may be considered as a Community Work Experience activity that allows a Temporary Assistance participant to fulfill the work requirement. The court prepares a formal agreement with the site and verifies completion of the community service hours. The formal agreement must be presented to the appropriate Division of Public Assistance staff or other Temporary Assistance work service provider.

◆ **Community Work Experience Placements**

Community Work Experience placements are limited to **six specific** non-profit and government agencies by Federal and State law. Placements cannot be made in for-profit businesses. Local communities or other agencies that are interested in hosting a Community Work Experience placement should contact their Division of Public Assistance local office or the appropriate Regional Manager.

Community Work Experience placements may be arranged for Temporary Assistance participants by:

- Division of Public Assistance staff
- Organizations that have an agreement with the Division of Public Assistance to make placements and monitor Community Work Experience assignments of Temporary Assistance recipients
- Organizations that have a contract or grant (i.e. service provider) with the Division of Public Assistance to place and monitor Temporary Assistance recipients in work activities
- A Temporary Assistance recipient may find their own placement, subject to approval by the Division of Public Assistance or its representative

◆ **Allowable Non-profit Organizations**

The Internal Revenue Service (IRS) reviews an organization's Articles of Incorporation to determine its non-profit status qualifications as either an IRS 501c.3 or an IRS 501c.6. For consideration as an appropriate work site, the non-profit organization must have an IRS 501c.3 status. In addition, the purpose of the 501c.3 non-profit organization, as recognized by the IRS, is limited to the following six specific non-profit types:

- **Religious**
  - **Charitable**
  - **Civic**
  - **Cemetery**
  - **Recreational**
  - **Educational**
- 
- ✓ **Placements can also be made with federal, state, or local government agencies, including public school districts.**
  - ✓ The work site representative must certify that the site is **governmental** or an **allowable IRS 501c.3** non-profit organization on the Community Work Experience Site Agreement form (Form TA 25).

**Note:** *Not all IRS 501c.3 non-profit organizations are acceptable work sites. Community Work Experience placements are limited as described above. When the non-profit status is undetermined, a corporation officer must provide a copy of the IRS 501c.3 verification.*

## **BUSINESS WORK EXPERIENCE**

Business Work Experience is a work activity assigned or approved by the Division of Public Assistance or its Service Providers where the participants work, without wages, at private for profit businesses. Business Work experience placements can be up to 12 weeks in length and a worksite can have 1 client per position per business.

All Business Work Experience activities must:

- Provide a supervised work setting
- Allow the participant to learn new or enhance existing job skills
- Relate to the participant's work experience and employment goals
- Provide job experience that leads to unsubsidized employment

Business Work Experience may not include:

- Union or anti-union activity
- Religious proselytism or evangelism
- Partisan or non-partisan political activity or campaigns

### **◆ Business Work Experience Placements**

Business Work Experience placements are limited to private for-profit businesses. Employers interested in hosting a Business Work Experience placement should contact their Division of Public Assistance local office or the appropriate Regional Manager.

Business Work Experience placements may be arranged for Temporary Assistance participants by:

- Division of Public Assistance staff
- Organizations that have an agreement with the Division of Public Assistance to make placements and monitor Business Work Experience assignments of Temporary Assistance recipients
- Organizations that have a contract or grant (i.e. service provider) with the Division of Public Assistance to place and monitor Temporary Assistance recipients in work activities

- A Temporary Assistance recipient may find their own placement, subject to approval by the Division of Public Assistance or its representative

## **DISPLACEMENT**

The following displacement requirements apply to both Community and Business Work Experience placements.

### **◆ Assignment Standards**

Federal and State labor laws and Department of Health and Social Services policies protect current employees from displacement by Work Experience placements. To help assure Work Experience activities do not displace employees at a work site, the law requires all Work Experience placements to meet specific *Assignment Standards*. The Department of Health and Social Services has also developed grievance procedures to address issues related to work site violations of these standards.

Assignment Standards require that Work Experience placements must not:

- Displace any currently employed worker, including partial displacement through a reduction in hours of overtime, wages, or benefits
- Fill any positions vacated by a layoff or a reduction in force, or a position being left vacant due to lack of funding and must not infringe on the promotional opportunities of any individual currently employed by the work site
- Prevent a laid off worker from filling a similar vacant position
- Cause the imposition of fines or penalties against a participant by a labor union

### **◆ Violation of Assignment Standards**

A current work site employee who believes a Work Experience placement violated the *Assignment Standards* may seek resolution by contacting the appropriate Division of Public Assistance Regional Manager. The aggrieved current employee must make an oral or written complaint to the Division within 30 days of the Temporary Assistance participant's work site assignment. The Regional Manager must offer an opportunity for an informal hearing with the current employee within 15 days of complaint receipt. If a collective bargaining agreement exists, agreement grievance procedures are used to address the complaint; otherwise, the Regional Manager will make a decision after a thorough review of all available information. If appropriate, the Regional Manager can cancel the Work Experience placement.

If the current employee disagrees with the Regional Manager's decision, the employee may appeal to the Director of the Division of Public Assistance. The

Director accepts written evidence and arguments from the current employee and the Regional Manager. The Director may hold an oral hearing and must issue a final decision within 30 days of receipt of the appeal.

### **FAIR LABOR STANDARDS ACT**

The Federal Fair Labor Standards Act (FLSA) protects workers from unfair labor practices and exploitation. It requires that workers receive the appropriate minimum wage as compensation for work performed. The requirements of the FLSA apply to participants in both Community and Business Work Experience activities. Some exceptions to the FLSA include court-ordered Community Service Work through the Department of Corrections; voluntary subsistence activities; and training activities, which meet specific federal criteria.

Work Experience generally does not meet the federal requirements for a training activity; therefore, its participants are subject to FLSA compensation requirements. However, Temporary Assistance participants engaged in Community Work Experience are compensated for their work through receipt of their Temporary Assistance benefit payment.

***Note:** To ensure compliance with the FLSA, the number of monthly hours a participant is assigned to a Work Experience placement cannot exceed the recipient's benefit amount divided by the state minimum wage. Service providers should contact DPA to determine the number of hours of participation allowed by FLSA.*

The Temporary Assistance benefit payment for most single parent families is at a level high enough that compliance with FLSA is not an issue. Two-parent families, however, experience a 50% benefit reduction during the months of July, August, and September when employment opportunities improve. This may affect compliance with FLSA if the Work Experience hours for both parents' total more than their benefit payment amount divided by the minimum federal wage. Service providers should contact the appropriate Division of Public Assistance office to determine the number of hour's a participant can work at the assigned work site.

### **WORK HOURS AND PLACEMENT**

Work Experience activities are identified and assigned through the Work Experience Placement Agreement (Form TA26 or TA 33) and the Family Self-Sufficiency Plan (FSSP). Attendance and participation in assigned Work Experience activities is usually mandatory.

For individuals who have part-time paid employment or who are assigned concurrently to other Temporary Assistance activities, Work Experience hours should be adjusted so the total hours a participant engages in work activities do not exceed 40 hours per week. Work Experience placements must be structured to allow participants time to complete their other Temporary Assistance work and self-sufficiency activities and assignments, especially those activities that support placement in unsubsidized employment,

### **DIVISION of PUBLIC ASSISTANCE AND SERVICE PROVIDER RESPONSIBILITIES**

The Division of Public Assistance works in partnership with various agencies, organizations, and service providers to help promote the placement of Temporary Assistance participants in Work Experience sites. The responsibility of these agencies, organizations, and service providers to recruit work sites, place participants, and follow-up on work sites and workers will vary. The Division of Public Assistance will remain as flexible as possible in the development of these Work Experience placements in order to respond appropriately to regional economic and cultural diversity. Unless otherwise specified in an agreement, representatives that make Work Experience placements are responsible for the following:

#### **◆ Work Experience Site Agreement (Form TA 25 and Form TA 34)**

For each work site, the Division of Public Assistance or its representative will prepare the appropriate **Work Experience Site Agreement**. For Community Work Experience placements, use Form TA25. Use form TA 34 for Business Work Experience Placements. The agreement permits the Division of Public Assistance or its service providers to place Temporary Assistance participants at an appropriate work site. The work site representative (i.e., employer or work site supervisor) and the Division of Public Assistance or service provider staff sign the site agreement.

#### **✓ Distribution of the Work Experience Site Agreement:**

- Original is kept on file at the work site
- Send a copy to the appropriate Division of Public Assistance or service provider office.

#### **◆ Work Experience Placement Agreement (Form TA 26 or TA 33)**

For each participant placed at a work site, the Division of Public Assistance caseworker or its representative must prepare the appropriate **Work Experience Placement Agreement**. Use the TA26 for Community Work Experience placements and the TA 33 when the placement is for Business Work Experience.



The agreement details and explains the participant's job duties, assigned work schedule, and the placement dates. The participant and the Division of Public Assistance or service provider staff sign the agreement.

- ✓ Distribution of the **Work Experience Placement Agreement**:
  - Original to participant
  - Copy is kept on file at the work site
  - Copy is kept in the participant's case file with the Division of Public Assistance or its service provider

#### ◆ **MONITORING**

- The work site supervisor is responsible for day-to-day supervision. However, the work services case manager should be monitoring the placement regularly to verify actual hours of attendance at the work site. In some situations a Work Experience contractor may monitor the participant's attendance and performance
- When a participant fails to attend the scheduled work activity, the work site supervisor reports to the appropriate work services case manager or the Work Experience contractor within two days.

#### **WORK SITE RESPONSIBILITIES**

##### ◆ **Verification of Assignment Standards**

Work sites must fulfill certain responsibilities to be eligible for Work Experience placements. These responsibilities include verification that the placement meets the Assignment Standards for worker non-displacement, and the completion of a Work Experience Site Agreement between the Division of Public Assistance or its service provider and the work site.

The work site must also agree to:

- Observe reasonable health and safety standards
- Provide on-going supervision of Temporary Assistance participants
- Familiarize and train participants to perform assigned tasks
- Observe discrimination laws with regard to race, sex, national origin, religion, age, or handicapping condition
- Provide the tools and equipment needed to perform assigned tasks without charge to the participant or the Division of Public Assistance
- Notify the appropriate Division of Public Assistance or service provider staff within 24 hours when a participant:
  - ✓ Sustains an injury at the work site
  - ✓ Neglects their assigned tasks

- ✓ Fails to appear at the work site on two consecutive days without reasonable explanation

### **PARTICIPANT RESPONSIBILITIES**

Work Experience participants must meet specific responsibilities with their work site placements. Failure to meet these responsibilities can result in the reduction or loss of Temporary Assistance benefits, food stamps, and supportive services (e.g., childcare or transportation). The Temporary Assistance participant must:

- Arrive promptly at the Work Experience site
- Treat the work experience like a job
- Ask the work site supervisor for any necessary help
- If unable to report to work as scheduled, notify childcare provider, the work site supervisor, the appropriate Division of Public Assistance or service provider staff immediately

### **CONFIDENTIALITY**

Alaska Statue 47.05.022 *Confidential Character of Public Assistance Records* and 47.05.030 *Misuse of Public Assistance Lists and Records* plainly states that information obtained about Temporary Assistance recipients by an employee of the Department of Health and Social Services or their representatives are provided for program administration only and may not be divulged or used for any other purpose.

### **INSURANCE AND LIABILITY ISSUES**

#### **◆ Insurance Coverage**

Temporary Assistance recipients assigned to Work Experience activities are covered through an accidental injury policy issued through the Department of Administration, Alaska Division of Risk Management. The AIG Life Insurance Company policy covers a \$50,000 Accidental Death and Dismemberment and \$25,000 Accident Medical with a \$100 deductible.

This insurance policy does not cover disease, illness, or injuries outside the work site. The Division of Public Assistance does not provide lost income protection for Work Experience participants who become disabled as the result of a work site injury. The Division of Public Assistance does not provide liability coverage to a work site for lawsuits or claims filed against the work site by the injured Service Experience participant or other party.

◆ **Insurance Claims**

If there is an injury on the job, the participant with assistance from a Division of Public Assistance caseworker or its representative will complete the AIG Life Insurance claim form. Additional claim forms are also available at offices of the Division of Public Assistance. In smaller villages, the local coordinator (i.e., tribal administrator or executive director) may need to help the participant complete the required insurance form.

The participant or the representative will send the completed claim form to:

Division of Public Assistance  
Attn: Work Services Program and Policy Development  
PO Box 110640  
Juneau, AK 99801-0640

**Note:** A copy of the completed form should be placed in the participant's case file

◆ **Medicaid**

Work Experience participants that are also eligible for Medicaid, must use their Medicaid coupons to cover the cost of the insurance deductible. If the participant is ineligible for Medicaid, supportive service funds may be used to cover the deductible costs.

◆ **Workers Compensation**

Temporary Assistance participants who become disabled as the result of a work site injury are not provided worker's compensation or loss of income protection by the Division of Public Assistance. Nor does the Division of Public Assistance provide liability coverage to a work site for lawsuits or claims filed against the work site by an injured Work Experience participant or other party.

## Forms

### Work Experience Program Forms

Four forms are used in the administration of the Work Experience Program. They are only available as online e-forms and are available at the following web addresses:

TA 25 - Community Work Experience Site Agreement

(please insert appropriate web address)

TA 26 - Community Work Experience Placement Agreement

(Please insert appropriate web address)

TA 34 - Business Work Experience Site Agreement

(please insert appropriate web address)

TA 33 - Business Work Experience Placement Agreement

(Please insert appropriate web address)

### AIG Life Insurance Claim Form

This form is used to report an on-the-job injury of a DPA Work Experience placement at an approved worksite. Copies of this form can be obtained by contacting the Division's Work Services Program Officer at (907)465-5843.