

SCSEP Participant Involuntary Termination Policy

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SCSEP
102.0

PURPOSE

The purpose of this policy is to ensure that participants in the Ohio Department of Aging (ODA) administered Senior Community Services Employment Program (SCSEP) project are treated fairly during the involuntary termination process and that sub-grantees have a formal procedure for terminating/exiting SCSEP participants during involuntary terminations.

POLICY

Each ODA SCSEP sub-grantee will develop and implement a termination policy that will ensure that ODA-administered SCSEP project participants are treated fairly and equitably during the involuntary termination process. The policy shall ensure that all participants being terminated for cause will be given an opportunity for corrective action through a progressive disciplinary process prior to an involuntary termination, except in cases involving fraud and serious harm, or the imminent threat of harm, to the health, safety and property of self and others.

The termination policies developed by the SCSEP sub-grantees shall identify the participant conduct or other factors that may result in involuntary termination, including: fraud; the participant's ineligibility at recertification; the participant was incorrectly determined to be eligible to participate in SCSEP through no fault of the participant; the participant has reached individual durational limit and no extensions are available; the participant is found to be employed while enrolled in SCSEP; and for other cause as approved by the U.S. Department of Labor (i.e., participants may be terminated for willful misconduct, including intentional violations of reasonable program rules and directives, or for failure to comply with the terms of their Individual Employment Plan without good cause).

PROCEDURE

1. ODA SCSEP sub-grantees will submit a termination policy to ODA. ODA will review the policy and, if it is consistent with the regulations and administrative policies issued by ODA and the U.S. Department of Labor, ODA will approve the policy.
 - a. The termination policy must have the following attributes:
 - i. Outline the reasons for a participant to be involuntary terminated;
 - ii. Outline a process that gives participants being exited for cause the opportunity for corrective action through a progressive discipline process

- prior to an involuntary termination, except in cases involving fraud and serious harm, the imminent threat of harm, to the health, safety and property of self and others, or other appropriate reasons;
- iii. Be consistent with the regulations and administrative guidelines issued by the U. S. Department of Labor;
 - iv. All termination notices will be provided to ODA-administered SCSEP project participants in writing 30 days before the termination becomes effective;
 - v. Provide that each participant being proposed for involuntary termination will receive a copy of the Sub-grantee's and ODA's grievance procedure with their 30-day termination notice;
 - vi. Provide that the termination is subject to the grievance procedures developed by the sub-grantee; and
 - vii. Provide that the sub-grantee will provide each participant being proposed for involuntary termination with appropriate referrals to other programs that are potentially able to assist the participants in finding employment or other supportive services that can lead to self-sufficiency, such as the One-Stop delivery system.
2. The sub-grantee will provide each participant a written copy of their termination policy at the time of enrollment.
- a. The termination policies and other pertinent policies and procedures will be verbally reviewed with each participant and the participant will sign an orientation form acknowledging receipt and understanding of the policies and procedures.
 - b. A copy of the signed orientation form will be maintained in the participants file.

Authority/Basis: 45 CFR 1321.11; 20 CFR 641.580

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