# 10-144 DEPARTMENT OF HUMAN SERVICES

BUREAU OF INCOME MAINTENANCE

Chapter 311: WORK INCENTIVE (WIN) PROGRAM MANUAL

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Chapter I INTRODUCTION AND PHILOSOPHY

I. Legal Background and Authority:

A. Title IV-A, Social Security Act

B. 45 CFR Parts 220, 233 and 234 Federal Register, June 30, 1972

C. SRS Program Regulations 20-3 (C-2); 20-5 (C-2); 20-7 (C-4)

II. Purpose:

Self-support remains one of the major program goals for Aid to Families with Dependent Children (AFDC) recipients and the Work Incentive (WIN) Program is a major effort to accomplish this goal by providing an opportunity for certain members of AFDC families, 16 and over, to be placed in jobs immediately if they are job-ready, or to secure the necessary training and social services to prepare them to obtain and hold jobs in order to attain the goal of self-support.

III. History of the WIN Program:

The Community Work and Training Program, authorized by the 1962 amendments to the Social Security Act, was a comprehensive program of manpower and social supportive services especially designed to help needy, disadvantaged individuals -- specifically recipients of AFDC -- prepare for and get jobs in the open labor market.

The Work Experience and Training Program (Title V Projects) was authorized in late 1964 by the Economic Opportunity Act. It retained the same program concept of a comprehensive approach tailored to the social and manpower needs of the individual, but operated under broader authority and more attractive funding. This second program was widely adopted in the States by public assistance agencies as a viable means of helping recipients become employable and employed.

The 1966 Economic Opportunity Act amended Title V, including the Work Experience and Training Program, in order to facilitate and increase the contribution that Department of Labor (DOL) programs could make to the program.

The 1967 amendments to the Social Security Act established the Work Incentive Program and legislated the transition of the Work Experience and Training Program into WIN and the phase-out of the Community Work and Training Program. Under WIN, the program maintained its comprehensive program concept but became the responsibility of two Federal Departments and their counterpart State agencies, the Department of Labor and the Department of Health, Education and Welfare.

The 1971 amendments to the Social Security Act further refined the WIN Program with strong emphasis on "jointness" at all levels, National, Regional, State and Local, including the parallel organizations in both agencies to effect a practical working relationship. The Separate Administrative Unit (SAU) which was mandated in the social service agency for WIN activities was a revival of the separate Self-Support Unit that generally existed in the welfare agency when it was conducting Title V projects. The amendments also pointed in the direction of making manpower activities more relevant to the labor market.

The present Work Incentive Program was amended December 28, 1971, by Public Law 92-223. The intent of the amendments was "improvement of the Work Incentive Program" based on experience with the program and the findings of evaluation studies. The principal changes effected by the new law included the following:

A. an increase in Federal matching to 90% for self-support social services provided under WIN.

B. the term "referral" for WIN was replaced by the words "registration" and "certification". Registration of nonexempt persons for the WIN Program became a condition of eligibility for receiving AFDC. The Act further specified who must register and who is exempt, with criteria for exemption and the registration procedure established by the Department of Labor. Certification, the responsibility of the social service staff, was the provision of or arrangement for, those self-support services needed by the registered recipient. Certification also signified to the manpower agency that the individual was ready to enter employment or WIN manpower activities.

C. it further specified roles and responsibilities for both Department of Labor staff and public welfare agency staff and areas where joint cooperation was required.

D. sanctions were imposed. Beginning July 1, 1973 the Federal match of assistance payments was to be reduced by one percentage point for each percentage point by which the number of individuals certified to WIN was less than 15% of the average number of individuals in such State who, during such year, were required to be registered for WIN.

E. assistance payments funds were to no longer to be used to subsidize wages under special work projects (now eliminated from the WIN Program). There was no disregard of the $30 plus one-third of the earnings from public service employment which replaced special work projects.

F. responsibility for paying for training related costs, including transportation, was transferred from the State agency to the WIN manpower agency.

G. the WIN manpower agency was directed to accord priority in selecting registrants in the following order, taking into account employability potential:

1. unemployed fathers

2. mothers who volunteered

3. other mothers and pregnant women under age 19

4. dependent children and relatives who had attained age 16 and who were not in school or engaged in work or manpower training

5. all others certified to WIN

H. the Statewide Operational Plan (SOP) described how WIN would be operated at the local level, indicating for each area within the State the number and types of positions provided for training, on-the-job training and for public service employment, the manner in which information provided by the Labor Market Advisory Council would be used, and the establishment of administrative responsibility for the various activities and functions of the plan.

I. employers providing public services employment were to be paid no more than 100 percent of the cost of providing such employment to an individual during the first year of such employment, 75 percent of the costs during the second year and 50 percent of the costs during the third year of such employment of the individual.

In September, 1975 the United States Department of Labor and the United States Department of Health, Education and Welfare jointly issued new regulations to achieve several purposes and which are the current basis for operation of the Program. These regulations directed counterpart agencies to:

A. assist as many clients as possible to obtain employment before they apply for welfare.

B. speed up job placement for job-ready registrants.

C. increase employment-related services to registrants through immediate labor market exposure and intensive manpower services.

D. teach registrants job finding skills.

E. facilitate communication and coordination between the Income Maintenance Unit (IMU), the Separate Administrative Unit (SAU) and the WIN sponsor. To accomplish this the following major changes were mandated:

1. transfer registration to WIN Sponsor

2. provide labor market exposure at the point of registration

3. provide intensive manpower services as an optional component, emphasizing placements, job findings and interviewing skills.

4. transfer deregistration to the WIN Sponsor.

5. provide Training Related Expenses (TRE) to certified or uncertified registrant recipients seeking employment outside a component.

6. abolish the concept of a registrant pool. All registered recipients who are not in a component or working full-time will be in an Unassigned Recipient Status. If certified such recipient become eligible for SAU and Employment Security services.

7. limit regular social services to up to 90 days after entering On-the-Job Training (OJT), Public Service Employment (PSE) or unsubsidized employment.

8. in special circumstances, provide for up to 30 days of child care to prevent working registrants from losing employment.

9. permit the SAU to provide additional services to certified registrants without prior request of the Manpower Agency.

10. broaden the definition of appropriate work to include part-time and temporary employment.

11. provide up to 60 days counseling to certified registrants prior to deregistration for failure to participate and to limit a certified registrant to one counseling period.

12. strengthen the role of the National Coordinating Committee (N.C.C.) by having it appoint the WIN Executive Director and making National Coordinating Committee Issuance binding.

Chapter II - OPERATION OF THE PROGRAM

The Federal Department of Labor, through its Manpower Administration, carries responsibility for all the manpower aspects of the WIN Program; the Federal Department of Health, Education and Welfare, through its Office of Human Development, carries responsibility for the social services in support of manpower services and for assistance payments to AFDC recipients registered for the program. The Department of Labor contracts with WIN Sponsors (Maine Department of Manpower Affairs) fop its responsibilities; the Department of Health, Education and Welfare administers its role through the public welfare agency, (Maine Department of Human Services) in each State. The program is funded under a closed-end appropriation.

I. Role of Income Maintenance Unit: The Income Maintenance Unit (IMU) of the Department of Human Services is a cooperating partner in the WIN Program. Under the legislation and current regulations the IMU shall:

A. determine which AFDC applicants and recipients are exempt from registration and which are required to register as a condition of eligibility for AFDC benefits based on established criteria;

B. inform exempt individuals that they may volunteer for WIN;

C. inform nonexempt individuals in writing that failure to register as required may affect their AFDC assistance payments;

D. immediately refer all nonexempt AFDC applicants and recipients and all volunteers to the WIN Sponsor for registration;

E. inform each applicant and recipient in writing of his/her right to a hearing before the Department of Human Services to contest a determination of nonexempt status or to contest a denial of AFDC assistance payments because of refusal to register for WIN;

F. inform exempt applicants and recipients that they must report to the IMU any changes which affect their exempt status;

G. refer individuals exempted from registration on the basis of incapacity to the Maine Department of Human Services, Bureau of Rehabilitation;

H. furnish written notice of final AFDC eligibility determination of registrants to the WIN Sponsor within 3 days of such determination;

I include a redetermination of exemption as a part of the AFDC eligibility redetermination process, except where an individual has been determined to be 65 years of age or older, or permanently incapacitated;

J. inform the WIN Sponsor in writing of any changes affecting an individual's exemption or employment status within 3 days of such change;

K recalculate the AFDC payment when the registrant obtains a job or enters a salaried WIN component;

L. apply the sanctions required by law and federal regulations for refusal to register or participate;

M collect and report data as required; and

N. work closely on coordinated basis with local SAU and Department of Manpower Affairs staff.

II. Procedures for the Income Maintenance Unit

A. Mandatory Registration:

When it is determined that an applicant or recipient, (including children), 16 and over, is nonexempt, that individual will be informed that he must register with WIN as a condition of eligibility and advised of the consequences of failure to register and refusal to participate. The WIN Registration Record Form, complete with the signature of the registrant and the signature of the WIN representative, is received by Income Maintenance and filed in the case folder, the WIN registration requirement will be considered to be met. When the WIN Registration Record Form indicates that the individual has failed to register, the individual's needs will not be included In the determination of AFDC eligibility.

The Department of Manpower Affairs has agreed to process all referrals of mandatory individuals within five (5) working days from the receipt of the WIN Registration Referral. If, after seven (7) working days from the date of referral, the WIN Registration Record is not received, the Income Maintenance Unit will notify the WIN/MA Agency in writing that the WIN Registration Record has not been received. Within three (3) working days, the WIN/MA Agency will respond with either the completed WIN Registration Record or a memo stating the expected date of registration.

B. Voluntary Registration:

When an exempt individual wishes to voluntarily register for the WIN Program, the same procedures will be followed with the exception of presumptive registration after seven (7) working days.

Once registered, an individual will continue to-be registered until he has been deregistered by the WIN Agency.

C. Deregistration:

The WIN Manpower Agency is responsible for deregistering individuals from the WIN Program. Reasons for deregistration are:

1. Employed After Registration - Off AFDC: Deregistration shall be accomplished immediately upon notice from the IMU that the registrant's AFDC case has been closed because of increased earnings from employment.

2. Employed Volunteer - Not Off AFDC: Self-evident.

3. Applicant Not Eligible for AFDC: Deregistration shall he accomplished immediately upon notice from the IMU that a registrant with pending AFDC status has been found ineligible for AFDC.

4. Exempt: Deregistration shall he accomplished immediately upon notice from the IMU that a registrant's status has changed from nonexempt to exempt and does not volunteer. An exempt volunteer who wishes to withdraw will be deregistered immediately upon request.

5. Failure or Refusal to Participate: Any mandatory registrant who has been determined by the WIN/MA to have failed to appear for appraisal without good cause or to have refused to participate without good cause shall be deregistered. In the instance of a certified mandatory registrant, a deregistration will not be accomplished until the termination of counseling by the WIN Separate Administrative Unit.

When the Income Maintenance Unit receives a deregistration notice by reason of failure or refusal to participate, the individual's needs will be removed from the AFDC grant, and if the individual is the client/payee, a third party protective payment will he required. Pending the authorization of the third party payee, the individual's needs will be removed from the AFDC grant and such individual will be designated as payee only until the third party payee is authorized.

6. Off AFDC - Other: Deregistration will be accomplished immediately upon notice from the IMU that the registrant's case has been closed for any reason other than increased earnings from employment or failure or refusal to participate.

The Department of Manpower Affairs will notify Income Maintenance that deregistration has been accomplished by forwarding a copy of the WIN Status Change Notice Form whenever a registrant is deregistered. The copy will he filed in the case folder to serve as verification that the individual is now deregistered. When the WIN Manpower Agency receives a referral for mandatory registration and the WIN/MA considers that the individual is, in fact, exempt, a request for redetermination of exemption will be forwarded to the IMU and WIN/MA will state in writing to IMU reasons for the request. If IMU does not respond to the request within 30 days, the

WIN/MA will deregister the individual as exempt and notify IMU via the WIN Status Change Notice Form.

D. Mutual Reporting Responsibilities:

In addition to notices of registration and deregistrations, the Department of Manpower Affairs Agency will notify the Income Maintenance Unit whenever a registrant: (a) obtains employment or (b) enters a salaried WIN Component (OJT, PSE or Suspense). This information will be provided via the WIN Status Change Form, and upon receipt, the IMU will redetermine eligibility based upon the change in circumstances.

Income Maintenance will notify the WIN Manpower Agency when:

1. a registered applicant becomes a recipient

2. a registered applicant is denied

3. a mandatory registrant becomes exempt

4. an exempt recipient becomes mandatory

5. a working registrant loses employment

6. a nonworking registrant gains employment

7. a registered client is closed

8. a grant reduction occurs as the result of increased earnings of a registrant

9. a grant reduction occurs as the result of sanctions for failure to participate

E. Reviews of Exemptions:

Individuals with exempt status will have their exemptions reviewed by the Income Maintenance Unit as a part of the regular eligibility redetermination, except where an individual has been determined to be 65 years of age or older or to be permanently incapacitated or the expected duration of the incapacity is beyond the semi-annual redetermination date.

III. Role of the Separate Administrative Unit:

A. Central Office SAU Responsibilities:

1, Program Direction and Supervision:

The Central Office SAU is responsible for the overall development and administration of the WIN Program to insure that the program direction, policies and procedures are carried out effectively throughout the State. Supervision entails the furnishing of necessary guidance and technical assistance to regional WIN staff and local SAU's to assure adequate quantity and quality of supportive services as well as an evaluation of program results.

2. Liaison with the Division of Employment Security:

Continuous liaison and coordination between the Department of Human Services and Department of Manpower Affairs is crucial and includes joint program evaluation, assessment and addressing of mutual problems. The Central Office SAU is also responsible for fostering the same degree of interagency cooperation at the regional and local level.

3. Program Planning:

The Central Office SAU is the focal point of responsibility for coordinating the IMU responsibility and all supportive services planning relative to WIN. The principal planning mechanism for supportive services is the Statewide Operational Plan, SOP, which is prepared jointly by the Central Office SAU and Division of Employment Security with input from Assistance Payments staff. The Central Office SAU must assure that the local SAU's are participating appropriately together with the DES for reviewing, evaluation and consolidating local operational plans into a comprehensive plan for the State.

B. Regional SAU Responsibilities:

1. Major Functions of SAU Worker:

The SAU worker at the regional level provides the pivotal service for all AFDC families who have one or more members active in the WIN Program. The workers primary functions are four-fold, case management, case monitoring, service provision and coordination with DES/WIN.

a. Case Management:

Case management responsibility involves a comprehensive assessment during the appraisal interview, the development of a service plan and the monitoring and follow-up of service plan implementation.

b. Case Monitoring:

Case monitoring responsibilities include responsibility for a continuous evaluation of service plan and a periodic assessment during the appraisal interview. It may also include a quarterly follow-up and reassessment on all cases certified with no service requested when such seems indicated, based on professional social work judgment. An example might be a mother with school age children who needed no service during the school year but might during the summer.

c. Service Provision:

Provision of services requires that the activities be directed toward removing barriers in order to enable a client to secure and maintain a specified goal. The SAU worker will arrange for those WIN supportive Services which support the goal of self-support; at times, the worker may also function as a generalist and provide the non-WIN services to the WIN participant or other members of the family when need arises.

d. Coordination and Cooperation with DES/WIN:

It is the responsibility of the SAU to coordinate and cooperate with the corresponding Division of Employment Security/WIN teams; this may include conducting joint interviews with clients, but must provide for an interchange of collected case data and a cooperative team approach in forming the Vocational and Special Plan for a given WIN participant. "Certified" means that a Request for Certification Form, 5-96, has been requested by DES/WIN with or without a request for services. Once Form 5-96 is signed by the SAU and returned, the case is certified.

2. Specific Activities of the SAU Worker:

a. provides a comprehensive assessment of the WIN participant's situation. Such assessment should be related to the development of a service plan and should take place before or during the appraisal interview.

b. participates with the client and DES/WIN team member in developing the service plan and vocational plan.

c. provides information and supportive counseling to individuals, families and groups with the focus on achieving tangible goals in accordance with the service plan.

d. records basic agency data and WIN/DES data.

e. reviews periodically, in accordance with Department policy, service plans in relation to service goals and service eligibility (both for WIN services and non-WIN services).

f. provides for referrals as part of working knowledge of educational and manpower programs with the community.

g. provides supportive counseling to WIN participants and members of their families to motivate participants in achieving their vocational goals. Assist them in understanding and utilizing appropriate resources as a part of the service plan.

h. arranges for preventive services with a focus on strengthening family life.

i. coordinates all services which relate to the service plan.

j. provides information and assists in obtaining and determining eligibility for certain specialty and facilitating services, i.e., housing, homemaker.

k. opens the case and records in the master file.

l. authorizes payment for certain services relating to service plan, such as child care and transportation. (identifying WIN services vs. non-WIN services).

m. provides information to the appropriate regional or Central Office WIN Coordinator, regarding gaps in services.

n. notifies IMU when 60-day counseling has begun with a mandatory participant who has refused to participate.

o. provides 60-day counseling to mandatory registrants who have been terminated. Such counseling must consist of:

1. a review of exemption criteria

2. a review of supportive needs

3. an explanation to the participant, his spouse or parent of the effect that termination from the program will have on the amount and form of assistance

4. an explanation of the time period the individual must wait before he may register with WIN

5. identification of service needs and development of mutually agreed upon service plan

p. attends all preappeal reviews and appeal hearings relative to a WIN registrant rendering his registration meaningless, i.e., a mandatory participant who has entered a 60-day counseling period due to refusal to participate.

q. contacts resources and accompanies clients to resources, interviewing in client's behalf when necessary as part of the service plan.

r. maintains constant communications with DES/WIN teams on social services and vocational issues including transfer of case records and statistical data.

s. maintains monthly statistics on caseloads.

t. contacts resource mobilization for information regarding purchase arrangements, placements, and availability.

u. terminates or transfers the case as part of the service plan.

IV. Role of Department of Manpower Affairs:

Project managers are accountable to the State Department of Manpower Affairs for all aspects of local project administration, including overall supervision and direction of local WIN operations. In addition, the local WIN staff shall:

A. prepare the local WIN plan in conjunction with the local SAU;

B. coordinate WIN activity with other local, State and Federal agencies and programs, such as the Comprehensive Employment and Training Act (CETA). Familiarity should also be maintained with other public assistance programs such as Food Stamps, Title XIX and local, welfare programs;

C. develop and install procedures for the registration and deregistration functions;

D. establish local program performance standards and goals, consistent with the State and Federal guidelines and procedures;

E. insure that WIN regulations and guidelines are followed, including nondiscrimination provisions;

F. provide in-service training and technical assistance for the guidance of the staff;

G. provide overall administrative management, which may include budget, personnel, accounting, payroll, WIN allowances and payments to employers;

H. collect and report data as required;

I. register AFDC applicants and recipients and inform IMU within 3 days of registration that registration is completed;

J. participate in appraisal activities and provide manpower and placement services;

K. work closely with the local SAU to insure coordinated services;

L. work closely with IMU in referral, status change, deregistrations and the adjudication process;

M. develop OJT and PSE to meet expenditure requirements;

N. monitor OJT and PSE contracts;

O. provide information on the WIN and recipient tax credit to employers and complete WIN Tax Credit Eligibility Declaration Forms;

P. inform IMU within 3 working days in writing of any change in employment or other status affecting AFDC grants or service eligibility;

Q. monitor local operations for nondiscriminatory policies and procedures.

Chapter III - SUPPORTIVE SERVICES

I. WIN Supportive Services:

The provision of supportive services is an integral part of the WIN Program. An individual is not required to accept work or training unless the Department of Human Services is able to meet supportive service needs. Supportive services shall be authorized for 30 days following the WIN participant's placement in full-time employment even if earnings disqualify the individual from financial assistance. This period may he extended to 90 days, providing the individual has not entered unsubsidized employment from OJT or PSE. The amount of Federal Financial Participation for the following WIN supportive services is 90% of the total cost; the services may he provided by the Department of Human Services directly or through contact with another agency:

A. Day Care Services: Day care services for children include the care of a child within or outside his own home by a responsible individual. They can also be provided in contracted or non-contracted family day care homes or group day care centers. The service must be available throughout the total "participant day". The participant day includes the period of time during which the individual is at work or in training, is commuting to the work or training site and any additional time that may be needed for the individual to arrive at the day care facility or sitter's home to pick up the child.

In-home child care will not be utilized if a non-relative provides the care for more than 20 hours per week due to the Fair Labor Standards Act, which mandates that the minimum wage be paid to non-relative in-home baby-sitters.

B. Family Planning Services: These include those social, educational and medical services which enable individuals to limit voluntarily the family size, space birth of children, or prevent or reduce the incidence of births out of wedlock. Such services include, but are not limited to, the provision of printed materials, group discussions and individual counseling which provides information about and discussion of family planning, medical contraceptive services and supplies and help in utilizing medical and educational resources available in the community.

C. Health-Related Services: Health-related services are those social services provided for the purpose of assisting individuals to attain and retain as favorable a condition of physical and mental health as possible. These services help individuals to identify and understand their health needs and to secure and utilize necessary medical treatment and health maintenance and preventive health services, including services in medical emergencies. Such services do not include any costs of medical care which are reimbursable under Title XIX, such as dental work and eye care for persons under 21.

D. Homemaker Services: Homemaker Services provide care of individuals in their homes and help individual caretaker relatives in overcoming specific barriers to achievement of optimum household and family management. Services are provided by a trained and supervised homemaker.

E. Home Management and Other Functional Educational Services: Home Management and Other Functional Educational Services are learning opportunities directed toward the improvement of daily living. These include formal or informal instruction and training in management of household budgets, maintenance and care of the home, preparation of food, nutrition, consumer education, family life, child rearing and health maintenance.

F. Housing Improvement Services: Housing Improvement Services provides help to families and individuals to improve landlord-tenant relations, identify sub-standard housing, secure correction of housing code violations and relocate to more suitable housing.

G. Select Vocational Rehabilitation Services: Restoration services are provided to correct or substantially modify a physical, mental or emotional condition which is a handicap to employment. Services include, but are not limited to, surgery, psychiatric treatment, prosthetic devices, speech or hearing therapy, eye glasses and visual services and dental care. Such services may be purchased only when the Bureau of Rehabilitation is not able to finance them through its own resources or the service is not available through Medicaid.

II. Procedures for the Separate Administrative Unit:'

Appraisal at Registration: If at all possible the WIN/MA and SAU staff should appraise the individual during or immediately after registration. Certification may also be requested and supportive services arranged during the appraisal process. However, until the registrant becomes a recipient, only direct staff services may be provided by the WIN funds. The necessity for pre-appraisal is precluded when appraisal occurs at the time of registration. Pre-appraisal activities by the SAU may be found in certain instances when there has been a long delay between registration and appraisal. In no instance should pre-appraisal activities delay the scheduling of appraisal interviews.

Appraisal Interview: The purpose of the appraisal interview is to assess the registrant's employability potential and suitability for employment or participation in a WIN component. It involves analyzing the registrant's work history, skills, interests, and possible needs for supportive services as well as the consideration of personal employability information in relation to the current labor market. The Department of Manpower Affairs staff and SAU staff should both be involved in the appraisal process and a joint interview should he conducted to the extent possible. When this is not feasible, sequential interviews should be conducted within 5 days. The WIN/MA staff shall request certification of each registrant prior to assignment to a WIN component, and shall indicate the date by which the supportive services requested are to be provided or arranged. If an uncertified, registered recipient finds employment the WIN/MA staff may request the SAU to certify the individual if supportive services are necessary for the individual to accept the employment.

Selection: The criteria for selection for appraisal are:

A. All unemployed fathers shall be appraised within 2 weeks of determination eligibility for AFDC benefits. This does not necessarily mean, however, that every unemployed father will be assigned to a WIN component;

B. Other registrants will be appraised according to the following legislatively mandated priorities, taking into account the individual's employment potentials:

1. mothers, whether or not required to register, who volunteer;

2. other mothers and pregnant women under 19 years of age who are required to register;

3. dependent children and relatives who have attained age 16 and who are not in school full-time, or engaged in work or manpower training;

4. others.

Documentation: Some registrants may not be selected for appraisal, or may be appraised but not assigned to a WIN component. Factual reasons for this action should be carefully documented by both the SAU and Manpower Affairs staff.

Medical Determinations for Registered WIN Mandatory Recipients: When following registration, a WIN mandatory recipient claims that a disability precludes or limits participation in the WIN program it shall be the responsibility of the SAU to:

A. obtain an "Authorization for Release of Medical Information Form".

B. assist the recipient in obtaining the necessary medical information.

C. discuss with the doctor, if necessary, the reason for the need for this information and clarification of any ambiguous information.

D. analyze with the WIN/MA counterpart medical information received.

If the information states that the recipient is incapacitated to the extent that he/she cannot in the foreseeable future engage in any type of training or employment, the WIN/MA will deregister the recipient and so advise IMU. If the incapacity is one of degree, WIN/MA in cooperation with the SAU will make a concerted effort to obtain training/employment within the recipient's limitations.

Only in unusual cases after both the WIN/MA and DHS have exhausted all avenues will a referral to the Bureau of Rehabilitation he made.

Since this is an employment related service it will he charged to the DOL contract. It will be the responsibility of the SAU managers is to insure that all bills are properly identified - "WIN - Registration".

Subsequently Scheduled Appraisals: Individuals scheduled for appraisal at a different time than the registration interview must be provided a written "call-in" notice by the WIN/MA staff. The written notice must include, the date, time and location of the interview; instructions for arranging an interview schedule change; and the possible consequences fop failing to appear. The SAU should be provided a copy of these notices.

SAU staff should try to contact registrants who fail to appear for their first scheduled appraisal interview, whether it is either a joint or separate WIN/MA or WIN/SAU interview. An effort should be made to identify the problems that prevented the registrant from attending and resolve them. At the time of their contact with these registrants, SAU staff should try to schedule a mutually agreeable appointment for appraisal. Registrants who fail to appear for an initial interview and are not contacted by the SAU will be rescheduled by the WIN Sponsor. In all cases when an interview is rescheduled, written notice shall be provided to the registrant. The rescheduling notice may be sent by certified mail or delivered by SAU staff during a personal visit or by other appropriate methods and it must advise the registrant that failure to appear will result in the initiation of deregistration action.

Certification: Certification is a written notice from the Separate Administrative Unit that:

A. necessary supportive services have been arranged, provided or are available to enable a registrant to accept employment, training or other manpower services, or

B. the registrant needs no supportive service to be ready for employment or training.

1. the WIN/ Department of Manpower Affairs shall request that SAU certify those individuals who have been selected for participation in a WIN component. Registrant recipients who have not been certified but find employment or are placed by the WIN Sponsor may be certified and necessary supportive services may be provided for them to enter employment.

Certification is not necessary for a registrant to enter employment. However, WIN sanctions may not he applied to an uncertified individual who refuses employment. Certification requests are necessary for all AFDC recipients except for those who obtain their own employment.

2. Certification may be requested at the time of appraisal, when the WIN Sponsor is ready to place the registrant in a component, or when the individual is to enter employment.

3. the certification request should indicate the date when certification is to he completed. When no services are needed, the SAU will be requested to certify that the individual is ready to enter work or training. When child care is needed, the certification request should indicate, if possible, the hours child care is needed, the starting date, length of time it will be needed and any special circumstances related to child care which have been identified.

4. after initial certification, the need for new or additional supportive services may be identified by the SAU or the Department of Manpower Affairs. If such service needs are determined by the SAU after an initial certification has been completed, it may proceed with immediate provision of WIN services without a supplemental request for certification from WIN/MA. If additional service needs are noted by Manpower Affairs such shall either directly inform SAU of the noted need or initiate a supplemental request for certification.

Provision of Services to Applicants: Service needs may be identified at appraisal, certification may be requested, and the SAU may provide staff services to applicants. No purchased services supported by WIN funds can be provided; however, until the applicant becomes eligible for AFDC benefits. Once the applicant becomes a recipient, certification should be completed for the staff services provided while the individual was an applicant, and WIN funded purchased services also may be provided to complete certification. In addition to receiving SAU staff services, applicants may be referred for other Title XX services if the necessary services are available.

Refusal to Accept Services: A certified mandatory registrant may not refuse supportive services included in the employment plan, if such refusal prevents the individual from accepting an appropriate work or training assignment. To refuse such services as a means to refuse employment or other manpower services should be treated as refusal to participate without cause by the Manpower Affairs Agency.

Duration of WIN Supportive Services: WIN Supportive Services may be continued as long as an individual is active in the WIN Program. The individual is considered active throughout the direct job entry period which is 30 days.

A. necessary supportive services shall be provided for the duration of a registrant's participation in all WIN components except OJT and PSE, and suspense to CETA/OJT and CETA/PSE.

B. when an individual enters PSE or OJT, necessary supportive services shall continue for a period of 30 days after the start of subsidized employment and may continue for an additional 60 days at the discretion of the SAU. Such services may continue during this time even after the AFDC grant has been discontinued due to income earned from such employment. No additional supportive services may be provided to the individual when the OJT or PSE enrollment ends and the employment becomes unsubsidized.

C. in special circumstances, working registrants who are not currently receiving WIN supportive services, may be provided day care services for a period not to exceed 30 days where the loss of these services would cause the loss of existing employment and where the services are not available on a timely basis from Title XX or any other source.

D. supportive services may he provided for 2 weeks in order not to interrupt the employability process.

The SAU may continue to provide supportive services as long as the individual remains active in the WIN Program even if his earnings disqualify him for AFDC. If an individual requests a service which he/she feels is necessary in order to participate in the employment plan and the service is denied, the individual shall be advised of his right of appeal under the Department of Human Services Fair Hearing procedures. The SAU worker shall offer to assist the individual in filing the appeal. The employment plan will not be implemented until the appeal has been ruled upon by the Commissioner of the Department of Human Services.

WIN/MA Status Change Notice: The Department of Human Services is officially notified of the individual's entry into participant status in the WIN Program by the Status Change Notice Form (MA 5-97). This notice additionally specifies the program component the individual has entered, such as on-the-job training (OJT). Whenever the participant moves from one component, such as the job-entry period, the State Change Notice is provided. It is sent by the WIN/MA team to the IMU with a copy to the SAU.

Establishing a WIN Service Case: Individual local office SAU's may determine the appropriate time to establish a WIN service record. The case record must, however, be established no later than the time that certification is requested. When the WIN service case records are established, the SAU shall notify master files.

Day Care: Day care is defined as comprehensive and coordinated sets of activities providing direct care and protection of infants, pre-school and school age children during a portion of a 24-hour day inside or outside of the child's own home.

Day Care Standards:

A. day care provided with Federal funds must meet the standards prescribed in 45 CFR 228.42.

B. in-home day care funded by WIN shall meet the standards set by the Department of Human Services as established by the above cited regulation and by statute.

Day Care Plans:

A. The SAU should explain to registrants the types of day care available, the suitability of each type of care in relation to the needs of children, the importance of stability and continuity of care, the length of time WIN-funded day care payments can continue and the availability of day care after WIN-funded care ends.

B. The parent should be involved in the development of a suitable day care plan which may include plans for emergency or interim care as well as for long-term, stable day care.

C. If there is more than one type of day care available, the mother or other caretaker relative may choose among them.

D. A registrant may not refuse available child care unless he/she can arrange for other day care that is no more expensive to WIN and can show that such refusal will not prevent or interfere with WIN participation.

E. In the case of day care provided at no cost to the WIN Program or the Department of Human Services, the SAU worker should discuss the care arrangement with the WIN registrant to determine its potential stability and suitability.

F. As part of the planning process, the SAU should stress the importance of the registrant's informing the SAU immediately if the day care plan breaks down.

G. If in-home full-time, non-relative care is to be used, the SAU should instruct the registrant in his/her role as employer, including the necessity of paying the minimum wage and of paying Social Security taxes for the provider for full-time care.

Criteria for Day Care Plans: In developing plans for suitable day care services, the following factors should be considered:

A. accessibility to the child's home and school;

B. convenience for the registrant and suitability of the hours of the day care with respect to the registrant's schedule; and

C. appropriateness of the plan to the age and special needs of the child.

Development of Day Care Resources: Development of adequate day care facilities and resources is one of the key factors towards the success of the WIN Program. The SAU is responsible for interpreting not only the day care needs of the WIN population but for assuming an active role in promoting the development of resources within the agency and in the community to meet such needs. The role of SAU in the area of day care resource development is:

A. to conduct periodic studies of the day care needs of existing and potential WIN registrants;

B. to identify the day care resources available including contracted slots at existing day care centers, family day care homes, and group day care homes;

C. to participate in planning and coordinating the day care services in the community including those related to the child care activities under the Title XX Plan.

Chapter IV - PROCEDURAL STEPS

STEP 1: The SAU social worker, DES/WIN interviewer and the client assess the client's situation and jointly agree on the social service plan and vocational plan. The goals, barriers and WIN services needed by the client as identified and requested on MA 5-96.

A. Case not being opened

1. SAU worker submits SWSS-083

2. SAU worker submits SWSS-085

3. Send to terminal operators

4. One copy SWSS-083 and SWSS-085 filed

B. To open case

1. SAU worker opens case on SWSS-083

2. SAU worker submits SWSS-085 to terminal operator

C. One copy SWSS-083 and one copy SWSS-085 is returned to file.

D. Worker records narrative in case record activities which have taken place

STEP 2: If certification is requested:

A. ES submits MA 5-96

B. SAU worker arranges for necessary supportive service and returns one copy of MA 5-96 to WIN. One is retained in client's file.

C. If services cannot be arranged for/provided within 30 days worker return MA 5-96 to WIN as not certified.

D. Worker records activity in case record; if services cannot be provided SAU worker closes service case and so notifies terminal operator.

STEP 3: Provision of services

A. Child care - SAU worker utilizes regional procedures and forms.

1. Billing

a. In-home child care bills are submitted on SWWN-002

b. All child care bills are submitted to Central Office WIN account clerk before being sent to Accounting Services

B. Remedial medical

1. Dental Work and Billing Procedures

a. Primary authorization for diagnosis including prophylaxis and scaling; estimate of recommended work to be sent to SAU

b. SAU will validate cost against State dental fee schedule

c. If estimate less than $150 SAU authorizes according to State dental fee schedule, if any question re: need, however, consult established Dental Consultant

d. If prior approval is needed send with X-rays and diagram to Dental Consultant

e. Dental Consultant will return these to Central-Office Manager, WIN program who will send to SAU Manager in appropriate region

f) Regional Manager will assume or delegate responsibility for seeing that work is authorized according to decision of Dental Consultant

9) Workers will instruct dentists to return bills (G-49) to local office. Manager will assume responsibility for seeing that final bill submitted is in accord with what was authorized according to Dental Consultant

h) Manager will then send validated bill to WIN account clerk

i) In cases where prior approval was not needed (under $150) WIN account clerk will validate bill according to Title XIX fee scale.

2. Eye Care

Title XIX guidelines will be followed for eye care and eyeglasses. hills will be submitted to WIN Coordinator for prior approval.

STEP 4: "No Show Policy"

A. In those instances where a WIN mandatory registrant fails to keep an appraisal interview appointment without notification to ES or SAU of his intent:

1. ES will send a certified letter making another appointment, with a copy to SAU/WIN

2. It will then be the responsibility of SAU/WIN to personally contact the registrant within 10 working days to explain the program, the registrant's rights and obligation, and determine if there is "good cause" or reasonable doubt as to why the registrant cannot participate

3. SAU will communicate results of their contact to ES and to IMU if registrant claims exemption. The client will also be advised by SAU to personally contact IMU worker with exemption request.

4. ES will make the final determination as to whether or not to pursue appraisal further for those mandatory registrants who have no valid exemption claim.

B. If the decision is to continue:

1. ES will send a second certified letter offering another appointment

2. If the mandatory registrant again fails to respond, ES will so notify the SAU who will then submit the information to IMU on SWWN-025

3. IMU will then proceed according to policy

4. SAU will "track" these persons and report to ES the action taken by IMU

C. In recognition of the fact that there are those individuals who are not psychologically ready to take the first step from dependency to self sufficiency, it is recommended that, where possible, counseling services he offered by Human Services at 75-25 matching and these persons be returned to the registrant pool for a stated period of time during which the counseling will take place. SAU staff will coordinate the receipt of this service when available.

If the individual refuses counseling IMU will be so notified by SAU. If counseling is accepted and at the end of the counseling period the mandatory registrant still refuses to participate without good cause IMU will he so notified. This is not to be confused With the 60-day counseling period provided to participants who have been certified.

STEP 5: Duration of Supportive Services

A) Duration of WIN Supportive Services, DES/WIN Status Change Notice WIN supportive services may be continued as long as the individual is active in the WIN program. The individual is considered active throughout the direct job-entry period which was shortened to 30 days.

If a WIN participant is placed in On The Job Training or Public Service Employment supportive services shall continue for a period of 30 days after the start of subsidized employment and may continue for an additional 60 days at the discretion of the SAU. Such services may continue during this time even after the grant has been discontinued due to income earned from such employment. No supportive services may be provided to the individual when the OJT or PSE enrollment ends and the employment becomes unsubsidized.

If an individual requests a service which he or she feels is necessary in order to participate in the employment plan and the service is denied, the individual shall be advised of his right of appeal under the Department's Fair Hearing procedures. The SAU worker shall offer to assist the individual in filing the appeal. The employment plan will not be implemented until the issue has been ruled on by the Commissioner's office.

B. DES/WIN Status Change Notice

The Welfare Department is officially notified of the individual's entry into participant status in the WIN program on the STATUS CHANGE FORM (MA 5-97). This notice additionally specifies the program component the individual has entered, such as On-The-Job (OJT). Whenever the participant moves from one component, such as OJT, into another such as Job-Entry period, the Status Change Notice is sent. It is sent by the DES/WIN team to the SAU with one copy to IMU.

Chapter V - GRIEVANCE/APPEALS PROCESS

I. DES/WIN Grievance Procedure

When the participant has a complaint about a work or training assignment or related issues such as wages or hours of attendance, the DES/WIN Grievance Procedure is the mechanism to he used to raise and resolve such complaints. The SAU shall assist the DES/WIN team in informing the participant of the purpose of the Grievance Procedure and, when necessary, shall assist the participant in its use.,

II. DES/WIN Appeal Process

When DES/WIN proposes termination of an individual for failure to participate in WIN "without good cause" the SAU is notified. The individual is notified by the DES/WIN team of his right to a predetermination conference and an appeal hearing under the DES/WIN Appeal Process. The SAU shall assist in informing the individual of the meaning of these procedures and shall assist him in their use. The SAU shall attend DES/WIN appeal hearings for the purpose of contributing information relative to its role in the program.

III. 60-day Counseling Period

If the Hearing Officer upholds the DES/WIN team's recommendation of termination or if the individual does not utilize the DES/WIN appeal procedure and is to be terminated, the SAU is notified by the DES/WIN team and proceeds to institute the 60-day counseling period.

The counseling period shall minimally include:

A. A review of exemption criteria

B. A review of supportive service needs

C. An explanation to the participant, his spouse or parent of the effect that termination from the program will have on the amount and form of assistance

D. An explanation of the time period the individual must wait before he may re-register for WIN

If the individual returns to participation and thereafter refuses to participate "without good cause" he or she again shall have the assistance of the SAU in utilizing the DES/WIN predetermination conference and appeal procedures. If the individual's termination is upheld, however, the 60-day counseling period will not he given again.

If the individual refuses to accept counseling or if after the expiration of the 60 days he refuses to continue in the WIN program, the SAU shall notify IMU. IMU notifies the individual Of sanctions to be applied, that is, change to be made in the amount and/or form of assistance as a result of his failure to participate without good cause. The individual may not appeal under the Department of Human Services Fair Hearing procedure about subject matter appealed and ruled on under the DES/WIN Appeal Process.

IV. Representation of Minor Registrants

A minor (under age 18) who has no capacity in a court of law, when entering the WIN adjudication system, must be represented by a parent or guardian. Due process dictates that the representative be sent copies of all program related communications. Therefore, in a case involving a mandatory registrant who is under 18 years of age: (a) the record should indicate who is the proper person to represent the registrant and (b) such representative should be sent copies of any and all communications concerning the registrant including such items as appointment notices, status change notices, job referrals, component assignment notices, notices of failure to keep appointments, notices of intent to deregister, hearing and appeal notices and any other official correspondence.

In the case of a committed child living with either parent, both parent and agency will be sent copies of all communications concerning the registrant (minor child).

EFFECTIVE DATE (ELECTRONIC CONVERSION): May 5, 1996

APAO WORD VERSION CONVERSION (IF NEEDED) AND ACCESSIBILITY CHECK: July 16, 2025

Chapter VI - APPENDIX

Note: For paper copies of these forms, contact the Department. Some could not be converted into electronic format for this version of Chapter 311.

Forms - Definitions

1. SWWN-002: Bill for Child Care Services

2. SWWN-026: WIN Registration Referral

3. SWWN-029: Notice to WIN/ES of AFDC Change

4. SWSS-083: Social Service Face Sheet

5. SWSS-085: Social Service Program Sheet

6. SWIM-017: Medical Statement Signed by Physician

7. G-16A: Purchase Authorization

8. G-31: Departmental Bill Head

9. ES-571-A: Waiver for Release of Information

10. ES-571-B: Employment Capacities Report Physical Status

11. ES-571-C: Employment Capacities Report Mental Status

12. MA-49: Request for Payment of Professional Services

13. MA 5-95: WIN Registration Record

14. MA 5-96: WIN Certification Record

15. MA 5-97: WIN Status Change Notice

16. SRS-NCSS-117, Part A: WIN Certifications Report

17. SRS-NCSS-117, Part B: AFDC WIN Grant Reductions Report

Chapter VII - REPORTS

In addition to the on-going case recording narrative SAU is required to submit a monthly report of Income Maintenance and SAU activities including such items as case reviews, registrations, certification and welfare savings. This is compiled and submitted on SRS-NCSS-117, commonly called the "117".

Quarterly the child care report a detailed breakdown of types of care, ages of children, etc. is submitted to the federal level.

EFFECTIVE DATE:

September 29, 1978

AMENDED:

November 17, 1978

MAINE DEPARTMENT OF HUMAN SERVICES

BILL FOR CHILD CARE SERVICES

Submit Name of Recipient:

bid to:

Address:

Case no.

In/Home Relative I child - $.50 per hour 4 children - $1.10 per hour

Child Care Rates 2 children - $.70 per hr. 5 children - $1.30 per hour

3 children - $.90 per hr. 6 children - $1.50 per hour

(Maximum of eight hours per day allowed) ($2.00 minimum per day)

No.of Hours Daily Gross

Date Child(rens) Name(s) child. Rate

provid. amount amount

1. x =

2. x =

3. x =

4. x =

5. x =

6. x =

7. x =

8. x =

9. x =

10. x =

11. x =

12. x =

13. x =

14. x =

15. x =

16. x =

Signature of Caretaker: Date:

Address:

SWWN-002 R1074NONE OF THE FORMS FROM THIS POINT TO THE END COULD BE CONVERTED TO MACHINE READABLE FORM FOR THIS VERSION OF CHAPTER 311. PLEASE CONTACT THE DEPARTMENT FOR PAPER COPIES OF THESE FORMS.