

EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210	CLASSIFICATION SCSEP
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ADVISORY: TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 09-23

TO: SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM
 GRANTEES
 STATE AND TERRITORIAL GOVERNORS
 STATE AND TERRITORIAL WORKFORCE ADMINISTRATORS
 STATE WORKFORCE LIAISONS
 STATE WORKFORCE BOARD CHAIRS

FROM: BRENT PARTON /s/
 Principal Deputy Assistant Secretary

SUBJECT: Requirements, Priorities, and Technical Assistance for Senior Community Service Employment Program (SCSEP) Stand-Alone State Plans for Program Years (PYs) 2024-2027 for States, Territories, and Outlying Areas

1. **Purpose.** To provide states, territories, and outlying areas with guidance for submission of four-year SCSEP Stand-Alone State Plans, including the submission process and deadline for submission. Note that, while this guidance aligns with the Workforce Innovation Opportunity Act (WIOA) guidance in many instances, this TEGL pertains only to states that are submitting a SCSEP Stand-Alone State Plan for PYs 2024-2027. States that are including SCSEP as part of a Combined State Plan for 2024-2027 should refer to Training and Employment Guidance Letter (TEGL) 04-23 that the Employment and Training Administration (ETA) issued on October 31, 2023 for instructions on submission of Combined State Plans.
2. **Action Requested.** States submitting a SCSEP Stand-Alone Plan should send it via email with “SCSEP Four-Year Plan” in the subject line to grants.scsepdocs@dol.gov, with a copy to their Federal Project Officer no later than March 29, 2024. Please include as an attachment a letter from the Governor naming the designee. ETA will review and approve State Plans so that they are in effect by the beginning of PY on July 1, 2024. For plans submitted after the due date, ETA will do its best to approve the plan before July 2024.
3. **Summary and Background.**
 - a. Summary – This TEGL provides information and guidance for submission of the SCSEP Four-Year Stand-Alone plan for PYs 2024-2027. The State Plan is intended to foster coordination among the various SCSEP grantees and sub-recipients operating within the state and to facilitate the efforts of stakeholders, including state and local boards under

RESCISSIONS TEGL 04-21; TEGL 07-19	EXPIRATION DATE Continuing
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WIOA, to work collaboratively through a participatory process to accomplish the SCSEP goals (20 CFR 641.300).

- b. Background –Section 503(a) of the Older Americans Act (OAA) and SCSEP regulations at 20 CFR 641, Subpart C requires the Governor or the Governor’s designee to submit a SCSEP Four-Year State Plan and allows the state to submit the plan as an independent document. The plan includes a four-year strategy for the statewide provision of community service employment and other authorized activities for eligible individuals under SCSEP and describe the planning and implementation process for SCSEP services in the state, considering the current relative distribution of eligible individuals and employment opportunities within the state.

This TEGL provides instructions for submitting a SCSEP Stand-Alone State Plan as an independent document, although ETA encourages states to include SCSEP as part of a WIOA Combined State Plan to foster closer coordination with other WIOA and non-core programs. Under WIOA, the Unified and Combined State Plans communicate the state’s vision for the state workforce development system. This SCSEP state plan submission adapts to specific priorities outlined in the WIOA planning requirements to promote better alignment of federal investments across job training and education programs to coordinate service delivery across programs for shared customers, to improve efficiency, and to ensure that the workforce system matches individuals with high-quality job opportunities and employers. Additionally, planning enables the workforce system to provide a wider range of collaborative, coordinated, and streamlined services to shared customers including pre-employment transition services and co-enrollment.

To include SCSEP in a Combined State Plan, please refer to ETA guidance for submission of Unified and Combined State Plans TEGL 04-23, *Requirements for Workforce Innovation and Opportunity Act (WIOA) State Plans for Program Years (PY) 2024 - 2027*.

4. Planning Priorities, Performance Negotiations, and Public Comment.

- a. **SCSEP Planning Priorities.** SCSEP state planning should include strategies to improve job quality for older workers and create access to good jobs in industry sectors with relevant opportunities in the state. State grantees can review the *Good Jobs Principles*¹ published by the Departments of Labor and Commerce in their strategic plans, particularly in developing community service assignments and/or on-the-job work experiences that prioritize critical job quality and equity components such as worker safety and health, or competitive wages. States should partner with host agencies and employers/firms that are committed to developing career pathways for underrepresented and underserved populations.

- i. ***Flexible, High-Quality Community Service Assignments***

A core feature of SCSEP is the placement of participants in community service assignments (CSA), which are part-time, temporary, employment opportunities at

¹ See <https://www.dol.gov/general/good-jobs/principles>

host agency sites. Through these CSA placements, participants gain valuable skills, increase their confidence to reenter the workforce and earn income while assisting local organizations that provide needed services within their community. Program participants are paid the highest applicable required wage using project grant funds: either the minimum wage applicable under the Fair Labor Standards Act of 1938; the state or local minimum wage for the most nearly comparable covered employment; or the prevailing rate of pay for persons employed in similar public occupations by the same employer.

Consistent with previous guidance, grantees may continue to use alternative types of CSAs that enable the provision of SCSEP services in-person, via remote or telework arrangements, and/or via hybrid approaches. States must ensure that all CSAs provide adequate supervision, development of needed soft skills, provision of appropriate training aligned to participants' IEPs, and access to any digital tools and/or broadband connectivity necessary for the work assigned. Grantees implementing remote or hybrid assignments must also ensure that all participants are served equitably, including those who are not able to participate in remote, telework, or hybrid flexible work arrangements.

ii. Strategic Use of Training and Supportive Services

In conjunction with the CSA, SCSEP grantees provide or help coordinate training and supportive services that support participants' ability to reach the program and employment goals identified in their IEPs. The type of training and supportive services that grantees provide vary and are based on the needs and goals of individual participants. In general, SCSEP grantees must have service delivery strategies that are designed to effectively prepare participants for placement into unsubsidized employment. Service delivery strategies must consider the job requirements of demand occupations in the community served, identify skill gaps and other barriers to employment among the SCSEP-eligible population, and design and offer training opportunities that address the identified skill gaps.

Changes to Request Submissions for Additional Funds for Participant Training and/or Supportive Services (ATSS) (OAA Section 502(c)(6)(C), 42 USC

3056(c)(6)(C)). The OAA permits SCSEP grantees to request approval from ETA to use additional program funds for costs associated with participant training and supportive services, generally referred to as "ATSS requests." Under this SCSEP State Plan TEG, ETA is not asking that state SCSEP grantees submit ATSS requests as part of their state plans; rather, state SCSEP grantees may submit such requests subsequently in response to the forthcoming PY 2024 allotment TEG. However, for planning purposes, this section of this TEG highlights key changes to ETA policies related to ATSS requests and approvals that state SCSEP grantees should consider.

Approved ATSS requests allow grantees to use up to an additional 10 percent of grant funds for additional training and supportive services, and conversely, to use not less than 65 percent of grant funds for participants' wages and fringe benefits, rather than

the standard 75 percent minimum. In general, ETA expects ATSS training components will provide training that prepares participants with skills relevant for employment in in-demand occupations in their community. Further, ETA expects that ATSS supportive services components will supplement and enhance the supportive services provided through primary grant funds, enabling more participants to mitigate, and overcome financial and/or logistical barriers to SCSEP participation.

In the past, ATSS requests were required with the grant document submission at the beginning of each new program year. To allow long-term strategic planning for use of ATSS funds, beginning in PY 2024, ETA encourages state SCSEP grantees to consider submitting ATSS requests that span the duration of the state planning cycle (up to four years) under the initial program year 2024 funding application process. This four-year approach remains consistent with the current SCSEP regulations while allowing for greater continuity and less year-to-year planning burden for grantees. This change will help grantees successfully support participants by providing continuity of service offerings from year to year, promoting the stability of employment for staff directly charged with implementing ATSS, and streamlining the annual ETA grant review and approval processes.

ETA will provide additional details and instructions regarding submission of ATSS requests in the PY 2024 allotment TEGE.

iii. Preparation for Unsubsidized Employment in Appropriate Sectors

ETA strives for as many participants as possible to achieve unsubsidized employment, recognizing that SCSEP participants have a broad range of skill sets, interests, and barriers to employment. ETA particularly encourages strategic plans that propose innovative, holistic solutions to address the needs of SCSEP participants with more significant barriers to employment. ETA expects grantees to propose effective strategies to:

1. Assess the participant pool and identify those participants whose individualized employment plans (IEPs) contain a goal of unsubsidized employment that is attainable with additional support and training.
2. Identify characteristics among participants such as disability, limited English proficiency, former incarceration, or low literacy skills and actively assist those participants with obtaining unsubsidized employment.

ETA specifically encourages grantees to offer strategies for providing practical short-term training opportunities for in-demand occupations that utilize on-the-job experience (OJE) or skill-specific training, as well as effective strategies and services to help participants achieve self-sufficiency, such as referrals to other services or programs, as identified in their IEPs.

iv. Focus on Job Quality and Equity

The Good Jobs Initiative, led by the Department of Labor in partnership with the Department of Commerce, provides critical information to workers, employers, and government agencies to help improve job quality and create access to good jobs, free

from discrimination and harassment for all working people and particularly for underserved communities. The *Good Jobs Principles* establish a common vision for the essential elements of a quality job. Among the eight Good Jobs Principles are principles particularly relevant for SCSEP such as adopting a competitive wage scale; establishing more predictable work schedules; examining how benefits may be offered; and creating opportunities for inclusion, accessibility, and career advancement. ETA encourages state SCSEP grantees to consider how they can promote and advance the Good Jobs Principles in their SCSEP projects and incorporate strategies to help SCSEP participants learn about, prepare for, and obtain high quality jobs. This could include educating participants on job quality indicators (i.e., competitive wages or employee benefits) to better inform their job search efforts, discussing job quality considerations with employer partners, working with host agencies to identify ways to address job quality in participant assignments, or advising employer partners and host agencies on how to adhere to non-discrimination laws, adopt practices that ensure workers know their rights, and work continuously to remove discriminatory barriers within their organization.

As defined in [E.O. 14091](#) and first defined in E.O. 13985, the term “equity” means the “consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that often have been denied such treatment.” An equity gap exists when there is significant and persistent inequity or disparity for marginalized communities, in that individuals who belong to these communities are denied a full opportunity to participate in aspects of economic, social, and civic life, including employment or educational opportunities.² All workers should be respected, empowered, treated fairly, and should not face systemic barriers to advancement. ETA encourages state SCSEP grantees to include strategies to increase equity in participant recruitment and service delivery. Such strategies could include identifying training providers and/or other partners that work closely with historically marginalized populations, including veterans, returning citizens, or people of color, and/or identifying Minority Business Enterprises as employer partners. Section 515 of the OAA requires that DOL conduct an analysis in SCSEP of the levels of participation and the outcomes achieved by minority individuals for each grantee by service area and in the aggregate. The results of this analysis are captured in the SCSEP Minority Report (Vol. 2), which provides a comparison of the participation of minority groups in SCSEP to their proportion in the population, and the employment outcomes of minorities in SCSEP compared to non-minorities. In drafting their state plans, state SCSEP grantees should refer to findings from the Minority Report and other relevant sources of equity data to help shape their strategies.

b. Performance Negotiations for the Senior Community Service Employment Program.

The extent to which grantees meet or exceed the seven core performance measures, outlined in OAA section 513, is a factor used to determine program success (42 U.S.C. § 3056k). Successful program indicators include service to the most-in-need individuals, increased

² Executive Order 14091, [Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government](#), (Feb 2023).

median earnings, and effective on-the-job experiences that lead to unsubsidized employment and/or increased employment outcomes for older workers. As outlined in 20 CFR 641.720, expected levels of performance for the first two years of the grant agreement are initially determined prior to the beginning of the first program year in the grant cycle. For grant years three and four, grantees may request to re-negotiate adjustments to these goals based on factors such as populations with barriers to employment, poverty levels, and unemployment in the areas served. ETA will use an objective statistical model to account for actual economic conditions and participant characteristics. At the conclusion of performance level negotiations, ETA will make available for public review the final negotiated expected levels of performance for each grantee. Performance-level negotiations for the Program Years 2024 and 2025 will begin in the Spring of 2024.

- c. **Advice and Public Comment:** SCSEP state grantees must make the four-year state plan available for public comment before submission. The Governor, or the Governor’s designee, should follow established state procedures to solicit and collect public comments on the state plan (20 CFR 641.350) and must seek the advice and recommendations of the following organizations and individuals with expertise in older worker issues (20 CFR 641.315):
- Representatives of the state and area agencies on aging;
 - state and local boards under WIOA;
 - public and private nonprofit agencies and organizations providing employment services, including each grantee operating a SCSEP project within the state, except as provided under OAA sections 503(a)(9) and 506(a)(3) and 20 CFR 641.320(b);
 - social service organizations providing services to older individuals;
 - grantees under title III of OAA;
 - affected communities;
 - unemployed older individuals;
 - community-based organizations serving older individuals;
 - business organizations; and
 - labor organizations.

The state plan must describe the procedures used to obtain such advice in public comments, including the timeline for ensuring an open and inclusive planning process (20 CFR 641.325(f) – (g)), as well as the public comments received and a summary of the comments (20 CFR 641.325(h)). National grantees also have planning responsibilities and must coordinate with state grantees in the states where they operate except as provided at 20 CFR 641.320(b).

5. **Inquiries.** Please direct inquiries to the appropriate Regional Office.

6. **References.**

- Older Americans Act, Title V ([42 USC 3056](#), et seq.), as amended through Public Law 116-131 (Mar 25, 2020);
- Workforce Innovation and Opportunity Act (WIOA), [Pub. L. 113-128](#), Sec. 121, Funding of One-Stop Infrastructure;
- Paperwork Reduction Act of 1995, [Pub. L. 104-13](#) (May 22, 1995);

- [TEGL 04-23](#), *Requirements for Workforce Innovation and Opportunity Act (WIOA) State Plans for Program Years (PY) 2024 – 2027* (Oct 31, 2023);
- [TEGL 18-22](#), *Program Year (PY) 2023 Planning Instructions and Allotments for Senior Community Service Employment Program (SCSEP) State, Territorial, and National Grantees* (May 15, 2023);
- [TEN 16-22](#), *The Employment and Training Administration is Implementing GrantSolutions for Grant Award Processing and the Payment Management System for Financial Reporting* (Jan 18, 2023);
- [TEGL 17-20](#), *Senior Community Service Employment Program – Updated Guidance on Priority of Service, Durational Limits, and State Plan Submissions* (Apr 15, 2021);
- [TEGL 14-18, Attachment 9](#) *Aligning Performance Accountability Reporting, Definitions, and Policies Across Workforce Employment and Training Programs Administered by the U.S. Department of Labor (DOL), Senior Community Service Employment Program* (March 25, 2019);
- [TEGL 17-16](#), *Infrastructure Funding of the One-Stop Delivery System* (Jan 18, 2017);
- [TEGL 12-06](#), *Revised Income Inclusions and Exclusions and Procedures for Determining Senior Community Service Employment Program (SCSEP) Eligibility* (Dec 28, 2006);
- *Federal Poverty Guidelines*, Federal Register 88 FR 3424 (January 17, 2024); or HHS website at <https://aspe.hhs.gov/poverty-guidelines>; and
- SCSEP Performance Data Collection Approval (Office of Management and Budget No. 1205-0040) (expiration date Nov 30, 2024).

7. **Attachment(s).**

Attachment I: Required Contents of SCSEP Four-Year State Plan