**DATE: July 10, 2020 August 21, 2020**

**OPERATIONS MEMORANDUM #20-07-02**

**SUBJECT:** Revised Program Referral Changes to Temporary Assistance for Needy Families (TANF) Road to Economic Self-Sufficiency through Employment and Training (RESET)

**TO:** Executive Directors

**FROM:** Inez Titus

 Director

 Bureau of Operations

**PURPOSE**

 To inform the County Assistance Offices (CAOs) of changes beginning July 1, 2020 to referral policy for TANF RESET participants to contracted employment and training (E&T) programs.

**BACKGROUND**

Operations Memorandum 19-01-01, Changes in Employment and Training Determination of RESET Job Readiness Assessment and Program Referrals, advised CAOs to evaluate a cash recipient’s RESET status to determine whether a participant was required to participate in a CAO-directed activity or was to be referred to a contracted E&T program.

 Per Cash Assistance Handbook 135.11, the CAO currently performs the following process at application or during any referral assessment:

1. Discusses the applicant/recipient’s skills, prior work experience, and employability (known as the Job Readiness Assessment);
2. Determines mandatory (ETP 60), mandatory good cause (GC), exempt (ETP 52, 53 or 54), or volunteer status (ETP 61);
3. Determines the appropriate project referral (EARN, ELECT, KEYS, Work Ready, or Refugee); then
4. Completes a corresponding AMR (PA 1661).

**DISCUSSION**

As of July 1, 2020, the Employment and Training (E&T) referral policy is updated to reflect changes to E&T programming. On September 30, 2020, 27 Work Ready offices will end. For a list of those Work Ready offices and impacted counties, please see [Attachment A – Work Ready Office Closures](http://mydhs/cs/groups/webcontent/documents/document/c_296267.docx). On June 30, 2020 the Home Health Assessment (HHA) contract with PHMC in Philadelphia will also end. All CAOs will follow the referral guidelines outlined in the chart below. CAOs will continue to follow the steps outlined in 135.11.

**Work Ready Participant Transfers**

The local CAO, the closing Work Ready office, and the receiving E&T program must coordinate the transfer of participants currently enrolled at any of the 27 closing Work Ready offices, See [Attachment B – Work Ready to Other E&T Program Transition Steps](http://mydhs/cs/groups/webcontent/documents/document/c_296268.docx). The closing Work Ready offices will begin terminating currently enrolled clients as of August 1, 2020. This process is to be completed no later than September 30, 2020.

**New Referrals**

As of July 1, 2020, the CAO must utilize the referral table below to ensure Temporary Assistance for Needy Families (TANF) participants are referred to appropriate employment and training (E&T) providers and programming.

The CAO must continue to complete, update, or review the [Job Readiness Assessment](http://mydhs/cs/groups/webcontent/documents/document/c_285802.docx), Job Readiness Assessment ([Spanish version](http://mydhs/cs/groups/webcontent/documents/document/c_292094.doc)), and Agreement of Mutual Responsibility (AMR) as necessary at the next (whichever comes first):

* Renewal;
* Partial redetermination;
* Compliance review; or
* Change in barriers or RESET participation status that necessitates an AMR update.

 The CAO will determine whether the individual is mandatory (ETP 60), mandatory with good cause, or exempt for RESET program participation requirement purposes.

For all contracted programs, unless otherwise denoted in the chart, individuals may be referred if they are exempt but volunteer, mandatory with good cause and volunteer, or mandatory to participate in RESET.

**NOTE:** Individuals may volunteer to participate in employment and training activities *without becoming mandatory participants*. These activities can be supported by special allowances (SPALs). These volunteers are not subject to sanction for non-compliance for not fulfilling RESET participation requirements. See CAH 135.5 Volunteering to Participate in RESET.

**UPDATES TO REFERRALS**

|  |
| --- |
| **Program Referral Chart** |
| ***IF*** | ***THEN*** |
| Individual has *(regardless of TANF day count)*: * enrolled in a post-secondary education or high school equivalency program at one of Pennsylvania’s 14 community colleges; or
* expressed an interest to enroll in a post-secondary education or high school equivalency (HSE) program at one of Pennsylvania’s 14 colleges within 60 days of the next available semester
 | **KEYS** |
| Individual has: * less than 1830 TANF days; or
* 1830 TANF days or more *if there is* *no Work Ready in the county*

Additional referral circumstances may include, the individual: * has a PA 635 indicating “limited employability” for the number of hours the individual can participate;
* enrolled in an approved self-initiated education or career training other than one of Pennsylvania’s 14 community colleges at the time of referral;
* is under age 22 pursuing or interested in pursuing a high school diploma or HSE and the individual is not enrolled in a high school or HSE program served by the Education Leading to Employment and Career Training (ELECT) program;
* is in the third trimester of pregnancy when the PA 635 indicates employable;
* is Extended TANF (ETANF) Track 2 eligible if there is no Work Ready in the County
 | **EARN** |
| The individual:* has reached 1830 or more TANF Days

Additional referral circumstances may include, the individual: * has a PA 635 indicating “limited employability” for the number of hours the individual can participate;
* enrolled in an approved self-initiated education or career training other than one of Pennsylvania’s 14 community colleges at the time of referral;
* is pregnant or parenting, under age 22 pursuing or interested in pursuing a high school diploma or HSE and the individual is not enrolled in a high school or HSE program served by the Education Leading to Employment and Career Training (ELECT) program;
* is in the third trimester of pregnancy when the PA 635 indicates employable;
* Extended TANF (ETANF) Track 2 eligible
 | **WORK READY** |
| Individual is *(regardless of TANF day count)*: * pregnant or parenting, under age 22 pursuing a high school diploma or HSE and the individual is enrolled in a high school or HSE program served by the Education Leading to Employment and Career Training (ELECT) program
 | **ELECT** |
| Individual is determined mandatory (ETP Code 60) and:* is pregnant or parenting, under age 22 pursuing a high school diploma HSE and the individual is not enrolled in a high school or HSE program served by the Education Leading to Employment and Career Training (ELECT) provider **IF** they opt out of an EARN and/or Work Ready referral;
* is meeting all hourly requirements in unsubsidized employment and are not interested in case management services; or
* if there is no core activity available (this activity requires BEP approval. See [Section 135.2, Employment and Training Activities)](http://services.dpw.state.pa.us/oimpolicymanuals/cash/135_Employment_and_Training_Requirements/135_2_Exemptions_from_RESET_Enrollment.htm)
 | **CAO-DIRECTED** |
| Individual is determined mandatory (ETP Code 60), they are a refugee TANF household recently resettled, and the individual has extreme barriers that require remediation before entering a mainstream program. Extreme barriers include: * illiterate in their own language
* severe trauma survivor (victim of torture, human trafficking victim, prisoner of war)
* has no functional English Learner level; or
* in the first year of resettlement

[45 CFR §400.146](https://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=ffd76fa18990bbfca561b67536ba26d2&n=pt45.2.400&r=PART&ty=HTML#se45.2.400_1146)[45 CFR §400.147](https://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=ffd76fa18990bbfca561b67536ba26d2&n=pt45.2.400&r=PART&ty=HTML#se45.2.400_1147)A refugee TANF recipient may volunteer to participate in EARN, Work Ready, ELECT, and/or KEYS if they meet other referral criteria in lieu of a referral to a refugee contracted employment program.If a refugee is exempt but volunteers, they may **not** be referred to a refugee employment provider at present, even if they have the barriers listed above. | **CONTRACTED REFUGEE EMPLOYMENT PROVIDER**\*See [Supplemental Handbook, Chapter 730: Refugee Assistance Program](http://services.dpw.state.pa.us/oimpolicymanuals/supp/730_Refugee_Assistance_Program/730_Title.htm)\*If no refugee program exists in the county, please utilize the “Refugee Contractor Stop Gap” procedure. This procedure involves opening the refugee in a CAO-directed Activity and manually referring them to the local EARN until the refugee receives a Social Security Number. Once the SSN is received, an electronic referral to EARN may be processed.The CAO must contact the Pennsylvania Refugee Resettlement Program and advise them of the situation so that they may contact the nearest contracted refugee employment program and they will provide job development and refugee-related case management services for the client while they physically attend the EARN.  |

For any TANF recipient, the CAO must engage in a discussion about volunteering to participate with an employment and training program if the individual is exempt (ETP Codes 52, 53, or 54) or has been granted GC (GC codes 53, 55, 56, 57, 58, 86, or 87). In addition, the CAO must explain the benefits of engagement with the program to the participant and document this discussion in Case Comments.

As per Title VI of the 1964 Civil Rights Act, all CAOs and contractors will continue to provide equal access to all E&T programs and services to individuals with Limited English Proficiency (LEP), including providing information on English as a Second Language (ESL) services that may be available in the community. For issues surrounding language accessibility, please contact the state LEP coordinator.

**Next Steps**

1. This Operations Memorandum is effective July 1, 2020.
2. Retain this Operations Memorandum until the information is incorporated into the Cash Assistance Handbook, Chapter 135.
3. Any questions may be directed to the Bureau of Employment Programs, TANF Policy Unit via RA-PWBEP.TANF@pa.gov
4. This Operations Memorandum obsoletes OPS 19-01-01, OPS 17-10-01, and OPS 14-06-01.

**ATTACHMENTS**

[Attachment A – Work Ready Office Closures](http://mydhs/cs/groups/webcontent/documents/document/c_296267.docx)

[Attachment B – Work Ready to Other E&T Program Transition Steps](http://mydhs/cs/groups/webcontent/documents/document/c_296268.docx)