

17—10.5 (231) Program requirements.

10.5(1) *Participating agencies.* Public, private and not-for-profit organizations are eligible to respond to a request for proposal (RFP). Agencies will be selected to operate the older American community service employment program through the request for proposal process, and the selected agencies will become subproject sponsors.

10.5(2) *Subproject sponsor responsibilities.* Subproject sponsor responsibilities for the older American community service employment program shall include the following:

- a. Implementation of recruitment methods that ensure that the maximum number of eligible individuals have access to and participate in employment opportunities and the Title V program;
- b. Designation of a member of the sponsor's staff as an older American community service employment program coordinator to ensure program performance;
- c. Establish procedures and rules in accordance with Title V of the Older Americans Act;
- d. List all vacant positions with the local workforce development center;
- e. Enroll individuals in the Title V program according to the priorities established by the U.S. Department of Labor;
- f. Ensure that recruitment and outreach efforts are targeted toward minority, limited-English-speaking eligible individuals and individuals with the greatest economic need;
- g. Meet the performance measures established in the request for proposal;
- h. Develop job opportunities for job-ready participants by the following methods:
 - (1) Coordinate with the local workforce development center in registering and placing older workers;
 - (2) Contact and educate private employers concerning the resources older workers bring to the labor force and assist the employer in developing job sharing, job restructuring and other techniques to increase opportunities for older workers;
 - (3) Encourage host agencies to employ the participant in their regular workforce; and
 - (4) Coordinate with other local employment and training programs in identifying jobs or training opportunities for participants;
- i. Follow up with each participant according to the U.S. Department of Labor's Data Collection Handbook and effectuate reenrollment for those participants found to be unemployed;
- j. Assist participants in accessing approved training sessions;
- k. Provide participants and host agencies with orientation to program purposes, goals and requirements;
- l. Provide access to supportive services to the participant during participation in the older American community service employment program and in the first 12 months of unsubsidized employment;
- m. Provide written training assignment descriptions to participants before the participants' assignment to a host agency;
- n. Provide each participant with a copy of the host agency grievance procedures, the subproject sponsor's grievance procedures, and the older American community service employment program's grievance procedures as outlined in this chapter;
- o. Complete an individual employment plan (IEP) for each participant based on an assessment conducted by the subproject sponsor and update both documents with the participant no less than twice in a 12-month period for use as an ongoing employment plan;
- p. Maintain the authorized enrollment level;
- q. Perform monitoring and safety evaluations of each host agency at least annually;
- r. Coordinate and cooperate with national sponsors in the establishment of authorized positions in each county in accordance with equitable distribution requirements as appropriate;
- s. Maintain records and reports required by the U.S. Department of Labor and the department;
- t. Comply with maintenance of effort (MOE) requirements; and
- u. Follow U.S. Department of Labor policy on match and program income.

10.5(3) *Failure to meet RFP performance measures.* A subproject sponsor who fails to meet the performance standards outlined in the RFP shall be subject to the following:

a. The first year a subproject sponsor fails to meet required performance measures, technical assistance will be provided and a corrective action plan will be required.

b. After the second consecutive year of failure to meet required performance measures, the funds and Title V positions will be reallocated.

10.5(4) *Program coordination with one-stop delivery system.*

a. Subproject sponsors shall coordinate the older American community service employment program with the one-stop delivery system as established under Section 134(c) of the Workforce Investment Act of 1998 (29 U.S.C. 2864(c)) to ensure opportunities for unsubsidized employment.

b. Subproject sponsors shall enter into a memorandum of understanding with the local workforce investment board in accordance with Section 121(c) of the Workforce Investment Act of 1998.

c. Subproject sponsors shall provide a copy of the current memorandum of understanding to the department upon request.

10.5(5) *Department responsibilities.* The department shall:

a. Issue a request for proposal for application for older American community service employment program funds;

b. Monitor subproject sponsors at least annually as required in this chapter;

c. Provide training and technical assistance to subproject sponsors;

d. Provide training workshops for older American community service employment program coordinators and other subproject sponsor employment staff, subject to availability of funding;

e. Coordinate the allocation of authorized positions with national sponsors according to equitable distribution requirements;

f. Report to the U.S. Department of Labor annually on the status of equitable distribution efforts;

g. When required by the U.S. Department of Labor, submit to the governor a state senior employment services coordination plan consistent with the provisions of the Older Americans Act, Title V;

h. Report to the U.S. Department of Labor as required by Title V of the Older Americans Act;

i. Coordinate the older American community service employment program with the department of workforce development, the department of education, the economic development authority, and other agencies which provide employment services to older Iowans; and

j. Maintain records as required by 17—subrule 5.13(1).

10.5(6) *Grievance procedures.* The department shall resolve grievances of applicants, participants, subproject sponsors and host agencies by following these procedures:

a. Any adverse action taken against a participant shall be issued to the participant in writing, stating the reasons for the determination, the participant's right to appeal, and the procedures to follow in the appeal process.

b. Subproject sponsors shall develop complaint procedures and an appeal process to resolve any issue arising between the sponsor and a participant or applicant. Procedures shall provide the following as a minimum:

(1) An opportunity for an informal conference and immediate resolution at the lowest level possible;

(2) Formal procedures for filing the complaint in writing for review by the subproject sponsor or the designee of the subproject sponsor; and

(3) The right of the participant to appeal the subproject sponsor's final decision in writing to the department within 15 days of the date of the decision.

c. All lower-level appeals provided by the subproject sponsor must be exhausted before appealing to the department.

d. The department shall determine whether the complaint is of a nature to initiate an informal review or a contested case proceeding as set forth in rule 17—2.9(231) and 17—Chapter 13.

e. Complaints may be appealed to the U.S. Department of Labor or the Office of Civil Rights at the U.S. Department of Labor according to the rules and policy established by the U.S. Department of Labor and procedures provided in 20 CFR Part 641.910.

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