

Chapter 5

REFUGEE SOCIAL SERVICES EMPLOYMENT PROGRAM

This Chapter provides guidance to refugee services providers under contract with the Office of Newcomer Services to provide Refugee Social Services (RSS) and Targeted Assistance Program (TAP) services.

The term Refugee Social Services Employment Program (RSSEP) refers to employment service delivery under both the RSS and TAP Programs.

The term refugee refers to refugees, asylees, Iraqis and Afghans with a special immigrant visas, Cuban/Haitian entrants, and victims of human trafficking.

A. Program Objective

The objective of the Refugee Social Services and Employment Program (RSSEP) is to

1. Assist participants in conducting a job search, identifying employer prospects, conducting employment interviews, accepting an offer of employment as soon as possible after RSSEP registration, and to remain employed.
2. Assist participants with prior skills, experience, and career backgrounds not immediately transferable when applying for comparable employment in the U.S. in accessing opportunities for employment in their careers, including assessments, testing, training, certifications, and courses that match their backgrounds.

B. Eligibility for Services

RSSEP services are provided to any person who

1. Has documentation from an authorized federal agency verifying that the person is a refugee, asylee, Cuban/Haitian entrant, Afghan or Iraqi with a special immigrant visa, or is certified as a victim of human trafficking.
2. Has had a refugee-eligible status for less than five years from the date of RSSEP registration, with the exception that there is no time limit on when an eligible participant may apply for naturalization preparation services if offered through RSSEP.
3. Is 16 years of age or older and not a full-time student at an elementary, middle, or secondary school, with the exception that assistance with part-time and summer employment may be provided to these otherwise ineligible individuals.

C. Registration Process

The RSSEP Registration Form serves as the application for RSSEP assistance. It is completed at the time a person

- a. Who has arrived through the Department of State Reception and Placement (R&P) Program is being enrolled in RSSEP by the R&P Program service provider.
- b. Who was a Matching Grant (MG) Program participant and was unsuccessful in finding employment and is being enrolled in RSSEP by the MG Program service provider.
- c. Who has not been served by either the R&P or MG Program requests employment assistance from the RSSEP provider.
- d. Who has applied for Refugee Cash Assistance at a local department of social services (DSS) and the local DSS sends the RSSEP providers a RSSEP Registration Form.

Note: If the refugee does not provide a copy of a signed RSSEP Registration form at the time of the application for RCA, the applicant must sign a RSSEP Registration form as a condition of RCA eligibility. The eligibility worker will send a copy of the form to the RSSEP provider.

D. Special Service Delivery Rules

1. All refugee eligible populations must be given the opportunity to register for RSSEP services
2. RSSEP providers who also deliver Reception and Placement (R&P) Program and Matching Grant (MG) Program services are responsible for providing RSSEP services in a manner that
 - a. does not duplicate R&P and MG program services and
 - b. is coordinative and seamless for the client.
3. RSSEP services are to be provided in a manner that is culturally and linguistically compatible with the client's language and cultural background.
4. Both male and female registrants must be provided equal employment and job placement services.
5. RSSEP services may continue after a client enters employment for the purpose of assisting with job retention and job improvement.

6. RSSEP services may not include training or education programs that will last longer than one year.

E. Priority in Provision of Services

1. RSSEP service providers must plan service delivery so that services are provided to RSSEP registrants in the following order of priority
 - a. RSSEP registrants who arrived in the U.S. within the past year or were granted asylee or victim of human trafficking or another refugee-eligible status within the past year
 - b. Recipients of cash assistance, either RCA or TANF
 - c. Unemployed registrants who are not receiving cash assistance RCA or TANF
 - d. Employed refugees in need of services to retain employment or increase their income to attain economic self-sufficiency.
2. Exceptions to this priority order are possible. Such exceptions are made at the direction of or with the approval of the Virginia State Refugee Coordinator (SRC).

F. Initial Interview

1. Each registrant is to have an initial intake interview with RSSEP staff for the purpose of explaining the role of RSSEP, the importance of immediate employment, the participation requirements, the services available to support the employment activities, and the consequences of non-participation in the program.
2. RSSEP staff is responsible for scheduling and conducting this intake interview with every new participant within 30 days of the date the RSSEP registration form is signed.

G. Individual Employment Plan

An individual employment plan (IEP) is developed with each RSSEP registrant. It is to include the steps needed for the registrant to attain self-sufficiency.

1. When a RSSEP participant is receiving TANF benefits and is subject to the TANF work requirements (VIEW), the IEP must be modified to reflect a joint plan developed with the VIEW staff assigned to work with the participant.

2. If the IEP was developed prior to the RSSEP participant's receipt of TANF, updates to the IEP must be made to reflect the joint planning done with the VIEW staff.
3. When a participant is receiving eight month time-limited refugee cash assistance and refugee medical assistance, the RSSEP staff should explain the financial consequences of not being employed when the cash and medical assistance ends.
4. The RSSEP staff assesses the effectiveness of the individual employment plan every 30 days and makes revisions as necessary.

H. Program Services

There are five categories of RSSEP services.

1. Case Management
2. Employment Services
3. Skills Training for Enhanced Earnings Potential
4. English Language Training
5. Employment Support Services

I. Case Management Services

1. Case management includes:
 - a. An assessment of the participant's employment needs and the services that will be needed to move the participant to self-sufficiency.
 - b. Coordination and interaction with other community and agency resources.
 - c. The delivery of services in a manner that is both comprehensive and collaborative with the participant.
 - d. Job follow-up to determine if a participant who enters employment is still employed and if additional services are needed to maintain employment.
2. Case management requires the completion of a Comprehensive Resettlement Plan (CRP).
 - a. The plan must be updated as activities are completed and new ones begun.

- b. If the participant does not achieve self-sufficiency within 12 months of RSSEP registration, a new CRP focusing on intensive services must be completed.
3. RSSEP staff must ensure that service delivery is done in a manner that is culturally and linguistically applicable for the participant and ensures the participant understands the program goals, their individual comprehensive plan, and their responsibility in participating in program activities.
4. Case management requires an assessment of when a participant is experiencing dysfunctions and linking the person with the appropriate community resource.
5. Case management requires the creation, maintenance, and updating of client case file and VNIS record. The case file and VNIS record (if there is a data element for item) must contain, as applicable:
 - a. individual employment plan;
 - b. record of contacts with the participant regarding all aspects of RSSEP service delivery;
 - c. record of RSSEP employment activities including employer contacts, job referrals, entered employment;
 - d. a record of issues, concerns, and RSSEP interventions; and
 - e. the type of instruction, the hours in instruction, the name of the teacher, and the cost per student.

J. Employment Services

RSSEP employment services include the:

1. Development of an individual employability plan for each client, which (i) states employment goals; (ii) details the tasks and time frames to be taken both by the refugee and RSSEP staff to meet that those goals; and (iii) identifies known obstacles to immediate employment and the strategies to remove these obstacles.
2. Pre-employment and post-employment counseling, coaching, and mentoring to assist the refugee in obtaining and maintaining employment and obtaining salary increases and job upgrades.

3. Job referral, job search, job placement, and follow-up assistance.
4. Workplace orientation, which is a formalized written curriculum that includes rules and expectations of the American workplace compared to refugee's work experiences in other countries.
5. Job development, which is direct employer contacts by RSSEP staff for the purpose of finding jobs for refugees who need direct assistance in obtaining and maintaining employment consistent with their abilities, skills, and experience in the U.S. labor market.
6. On-the-job training, which is working for an employer who provides training at the workplace on how to perform the work required and being paid a wage for the work done.
7. Apprenticeship and skills recertification that does not exceed one year's duration.
8. Aptitude assessment and employment skills testing, when necessary.

K. Skills Training for Enhanced Earnings Potential (STEP)

1. STEP provides RSSEP participants, whose professional skills are specialized and not immediately transferable to U.S. jobs, with opportunities for obtaining comparable employment in the U.S. Participants receive specialized services that include professional assessments and testing and assistance in accessing training, certifications, and courses related to their prior careers.
2. STEP participants are selected based on the assessment made during the completion of the Comprehensive Resettlement Plan, Section 3, Individual Employment Plan (CRP/IEP).
3. The CRP/IEP must include short term and long term employment and training objectives that are developed in consultation with the participant. The consultation is to include an explanation of types of technical training and other options available.
4. Whenever possible, assessments, training, and skills development services are to be provided by one-stop workforce centers, community colleges, and professional associations and organizations.
5. As part of the short term objectives, each participant
 - a. Will receive job referral services and is expected to obtain and maintain other employment while receiving training that will lead to the long term employment goals.

- b. Will be offered and referred to the appropriate level English Language Training.
6. Each STEP participants will receive training in financial literacy, basic computer skills, and interview skills unless determined proficient in these areas during the CRP/IEP assessment.
7. Each STEP participants must complete the Workforce Development Pre-Employment Training (PET) or an equivalent workforce preparation program.
8. Consistent with available and practicable services, STEP participants are provided assistance in
 - a. Procuring and initiating forms required by licensing agencies,
 - b. Applying for validation of credentials,
 - c. Researching educational options for recertification in a primary field or affiliated field,
 - d. Applying for programs at local community colleges and financial aid, if eligible,
 - e. Identifying work and volunteer opportunities in the professional sector while researching certification and educational options,
 - f. Re-assessing educational and career goals,
 - g. the individual along his or her career path, is.

L. English Language Training

1. English language training (ELT) is provided to increase employability skills or prepare refugees for citizenship process.
2. When ELT is part of the individual employment plan, the RSSEP service provider must provide the ELT training concurrently with employment or employment activities. RSSEP delivery of ELT and vocational training is not to interfere with employment. To the fullest extent feasible, ELT and other training services are to be provided
 - a. outside the client's normal working hours, and
 - b. concurrently with employment services.
3. English language training is generally curriculum based instruction taught by certified trainers. It can be provided individually, in groups, or on-line.
4. English language training may be provided directly or purchased.

M. Employment Support Services

The RSSEP service providers may provide the following services based on what is contained in the service provider's individual contracts with the Office of Newcomer Services. The delivery of these services to an individual RSSEP registrant must be described in the individual employment plan.

1. Vocational or career training that is part of the individual employment plan and does not interfere with employment and does not exceed one year
2. Child care related to employment activities which can be either a direct or purchased service
3. Transportation related to an employment activity which can be either a direct or purchased service
4. Translation and interpreter services related to employment and case management services

N. Work Requirements

1. RSSEP participants must apply for employment and accept a job if offered unless the job does not meet the definition of suitable employment. Suitable employment means that:
 - a. The work site is not in violation of federal and state safety standards.
 - b. It is full time or part time, permanent or temporary, year-round or seasonal.
 - c. The wage is at or above minimum wage for jobs that are subject to minimum wage standards. For jobs not subject to minimum wage standards, the wage is comparable to labor market wages paid for such employment.
 - d. The hours of work do not exceed the customary hours of work for that occupation.
 - e. The position is not vacant due to a labor dispute.
2. An RSSEP participant may not voluntarily quit a job that meets the definition of suitable employment (see above).
3. In rare instances, the employment search may be delayed if the participant is in an on-the-job training program, vocational training

program, or recertification program that is both approved by the RSSEP provider and is part of the participant's individual employment plan.

O. Participation Requirements

1. All RSSEP participants are subject to the RSSEP participation requirements. Participation means:
 - a. Keeping all scheduled meetings, appointments, and assignments;
 - b. Participating in the development of an individual employability plan;
 - c. Participating in job search, where applicable;
 - d. Going to a job interview arranged by the RSSEP staff;
 - e. Accepting an offer of employment;
 - f. Not voluntarily quitting a job; and
 - g. Participating in any employability service program that is determined available and appropriate by the RSSEP service provider.
2. The RSSEP case of a participant who is not meeting participation requirements and does not have good cause must be closed following the case closure procedures.

P. Documentation Requirement

1. The RSSEP provider must maintain in its files documentation regarding all participation activities. This documentation is to be contained in notes and updates to the individual employment plan, which has a section for the initial employability assessment, the employment plan development, action steps, English language training, support services, progress reviews, and job follow-up.
2. If the RSSEP participant is an RCA recipient, the individual employment plan is shared with the local department of social services only in the event that the RCA case is closed due to non-participation and the RCA recipient appeals the RCA case closure.
3. If the RSSEP participant is a VIEW participant, the individual employment plan is given to the VIEW worker
 - a. at the time of the initial VIEW assessment and
 - b. when there is a change to the plan.

4. If there is an appeal of an RCA or TANF case closure due to non-participation with RSSEP, the RSSEP staff will summarize the individual employment plan facts as needed for any pre-hearing conferences or appeal hearing. This summary would include
 - a. A statement of the specific RSSEP requirement that was not met.
 - b. The reason, if any, given by the client for non-participation.
 - c. The RSSEP factual basis for the determination that there was not good cause for the non-participation.
 - d. The dates of contact with the client regarding non-participation.

Q. Good Cause Reasons for Non-Participation

1. The RSSEP provider will determine good cause for non-participation with RSSEP requirements based on the following factors.
 - a. A job offer is refused because it does not meet the RSSEP's definition of suitable employment.
 - b. A participant is age 16 or 17 and is attending elementary, secondary, vocational, or technical school as a full-time student.
 - c. A participant is age 18 and is a full-time student in a secondary school or in the equivalent level of vocational or technical training and is expected to complete this program before reaching age 19.
 - d. A participant has medical evidence that he or she has an injury or medical condition that is serious enough to temporarily prevent entry into employment or training.
 - e. A participant has a physical or mental impairment that a doctor or psychologist has determined prevents the individual from engaging or participating in employment or training on an on-going basis.
 - f. A participant is caring for a household member who has been determined by a physician or psychologist to have a physical or mental impairment which requires care in the home on a substantially continuous basis and neither the participant nor the RSSEP provider has been able to arrange for care for the family member.
 - g. A participant has a child under the age of 12 months.

- h. There is a break in full time employment that is expected to last a minimum of 30 days.
 - i. A refugee is working in unsubsidized employment at least 30 hours a week.
 - j. Transportation is unavailable as determined by the RSSEP staff.
 - k. A participant is in an emergency situation that is verified by the RSSEP provider.
 - l. The schedule of the RSSEP activity conflicts with mandatory judicial proceedings.
 - m. An impediment beyond the participant's control is documented by the participant and accepted by the RSSEP provider.
2. Inability to communicate in English is not considered a good-cause reason for nonparticipation nor is it sufficient reason to not accept an offer of employment.

R. Consequences of Non-Participation

1. Case Closure RSSEP participants who do not meet participation requirements and do not have good cause are no longer eligible for RSSEP employment services, employability services, English language training, or other service paid for with Refugee Social Services Program or Targeted Assistance Program federal funding. The RSSEP case is to be closed.
2. Notification to the Local DSS The RSSEP staff must notify the local DSS within 24 hours of the date the RSSEP case is closed if the participant is receiving RCA or is a VIEW participant. The local DSS has responsibility for any action related to the RSSEP case closure.
 - a. For VIEW participants, the notice is sent to the VIEW staff.
 - b. For RCA recipients, the notice is sent to the TANF staff.
3. Cash Assistance Sanction Period
 - a. The term sanction, as used in this Chapter, refers to the stoppage of cash assistance for a specified period of time due to non-participation in an RSSEP activity. There is no RSSEP sanction period for non-participation.

- b. RCA sanctioning periods mirrors the TANF sanctioning periods. One month for the first for the first occurrence of non-participation and three months for the second occurrence of non-participation. The sanction applies to the all persons that are part of the RCA case.

S. Notice of Case Closure

1. When the RSSEP provider determines that the case documentation supports the determination of non-participation, the RSSEP provider sends a Notice of RSSEP Case Closure and closes the case in VNIS.
2. If the participant is a TANF recipient, a copy of the RSSEP Case Closure Notice is sent to the VIEW staff.
3. If the participant is a RCA recipient, a copy of the RSSEP Case Closure Notice is sent to the local DSS staff.

T. Re-opening a Case

When the RSSEP service provider closes the RSSEP case for non-participation without good cause, the participant may request RSSEP services again at any time. A new RSSEP Registration Form is required. A discussion of the RSSEP requirements is again discussed. The individual employment plan is updated. While a new employment plan is not required, if one is not developed the existing plan must be updated.

U. Refugee Cash Assistance Work Requirement

1. Recipients of Refugee Cash Assistance (RCA) are required to register for and participate in RSSEP as a condition of continued eligibility for RCA.
2. As part of the Virginia Department of Social Services Benefit Programs application process, an applicant for Refugee Cash Assistance (RCA) who is not exempt from the RCA work registration requirement must either:
 - a. Present a signed RSSEP Work Registration Form at the time of RCA application, or
 - b. Sign an RSSEP Work Registration Form at the time of RCA application.
3. The Virginia Department of Social Services Benefit Programs refugee cash assistance payments rules require that RCA payments be terminated if the RSSEP case of an RCA recipient, who is not exempt from the RCA work registration requirement, is closed due to non-participation in RSSEP activities.

V. Referral of RCA Recipients to Program Providers

1. When the RSSEP Work Registration form is signed at the time of the RCA application, the local DSS will give a copy of the form to the applicant and will send the original to the RSSEP provider.
2. The RSSEP staff is responsible for contacting the individual and conducting the initial intake interview which will include completion of the RSSEP Comprehensive Resettlement Plan and Individual Employment Plan.

W. TANF Work Requirement

1. A TANF recipient who does not meet one of the TANF work exemption must participate in the Virginia Initiative for Employment not Welfare (VIEW) Program.
2. Under federal and state TANF regulations, VIEW participation requirements apply to all work mandatory TANF recipients. A refugee who is both an RSSEP participant and a VIEW participant must meet the participation requirements of both programs.
3. Work requirements of the two programs must be coordinated by the VIEW and RSSEP case workers to ensure that each agency's case record contains required participation documentation.

X. TANF Coordination

1. The TANF application intake process and the VIEW assessment interview occur at different times. The VIEW assessment interview must occur within 10 to 30 days after the TANF application is approved.
2. Work requirements of the two programs must be coordinated by the VIEW and RSSEP case workers to ensure each agency's case record contains required participation documentation
3. RSSEP staffs are required to coordinate with the VIEW staff in each local DSS where RSSEP participants reside. A face-to-face meeting is recommended and the following issues be discussed:

- a. Understanding the local DSS VIEW assessment process. While the basic assessment requirements are the same for each local DSS, the implementation and processes vary.
 - b. Establishing what role the RSSEP staff will have in the initial VIEW interview.
 - c. Establishing the method by which required RSSEP documentation will be provided to the local DSS.
4. The RSSEP staff must provide the VIEW worker with
- a. A copy of the RSSEP participant's Comprehensive Resettlement Plan and Individual employment plan.
 - b. A monthly verification of continued participation,
 - c. Immediate notice of entered employment or non-participation.

Y. TANF and RCA Sanctions for Non-Participation

1. The local department of social services will take the action to sanction a TANF or RCA recipient when it receives the RSSEP Case Closure Notice stating the case was closed due to non-participation without good cause.
2. When the local DSS receives Notice of the RSSEP Case Closure for a RCA recipient, the worker will follow TANF procedures for determining appropriate case closure action.
3. When the local DSS receives a Notice of the RSSEP Cash Closure for a TANF recipient, the TANF case closure will be handled according to VIEW/TANF case closure processes.
4. If the TANF or RCA recipient appeals the action taken by the local DSS, the RSSEP staff is required to assist the local DSS staff with any appeals conferences, hearings, and written arguments.
5. If the participant signs a new RSSEP Registration Form and participates as required, the individual will be eligible for TANF or RCA at the end of the sanctioning period.

Z. Required Forms

1. RSSEP forms are required for the following purposes

- a. Registration Form
 - b. Mutual Responsibility Agreement
 - c. RSSEP/Local DSS Communication Form
 - d. Release of Information Form
2. The RSSEP forms used must be the forms provided by the Office of Newcomer Services (ONS).