ETA Coronavirus (COVID-19) FAQs

The Employment and Training Administration (ETA) has developed a Frequently Answered Questions (FAQs) to address questions related to Coronavirus (COVID-19) to help state and local workforce leaders, and other stakeholders and partners to assist the public workforce system during this crisis.

Senior Community Service Employment Program (SCSEP)

Updated as of 4/14/20

Q: We are in an area with confirmed cases of novel coronavirus disease (COVID-19) and/or an area that is taking broad public health measures to prevent the spread of the virus. Are we allowed to pay participants whose host agency assignments or paid training activities are impacted by COVID-19, particularly in situations where regional or localized quarantine efforts prevent participants from attending training sites in person?

Response: We recognize that the current COVID-19 outbreak presents unique challenges for SCSEP grantees and participants. The program's participants are particularly vulnerable for several reasons, including their reliance on SCSEP wages and benefits, as well as their age, which appears to place them in higher risk categories for complications due to COVID-19 disease. Grantees can act to minimize disruptions in the payments to participants of SCSEP wages and benefits, and to minimize the exposure risk encountered by SCSEP participants and grant staff. In addition, please refer to the Centers for Disease Control page on the novel coronavirus for the latest updates and medical advice: https://www.cdc.gov/coronavirus/2019-ncov/index.html.

Note that, even in the unusual situation prompted by community transmission of the novel coronavirus, your SCSEP grant remains subject to the laws, regulations, and policies that apply to SCSEP, including the authorizing statute (Older Americans Act, Title V, 42 U.S.C. sec. 3056, et seq., as amended), the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Grant Guidance at 2 CFR Part 200 and 2 CFR Part 2900), SCSEP regulations (20 CFR Part 641), applicable DOL guidance, and the terms and conditions specified in your grant award. However, depending on the situation in your communities, you have several options that may minimize disruption to SCSEP participants while still adhering to the applicable rules. The options described below, alone or in combination, should help to prevent disruptions to many participants affected by the emergency. However, if for some reason, a participant goes more than three days without pay due to the crisis, such

participant must be placed on an approved break until alternative arrangements are made in order to avoid a negative impact to the participant's durational limit calculation.

Use of Paid Sick Leave

In situations where COVID-19 impacts host agencies or paid training activities, or where in-person attendance by SCSEP participants may expose them or others to the risk of viral transmission, grantees can use paid sick leave consistent with their organizations' policies. Paid sick leave may serve as a means of limiting SCSEP participants' public exposure while minimizing disruption in the payment of participant wages and benefits.

The SCSEP regulations at 20 CFR 641.565(b)(1)(vi) state that "Grantees and sub-recipients must provide necessary sick leave that is not part of an accumulated sick leave program, which may be paid or in the form of rescheduled work time." The regulations do not further define what constitutes "necessary sick leave," nor do the regulations place minimums or maximums on the amount of sick leave that may be provided to SCSEP participants. Accordingly, grantees have flexibility to define these parameters through sick leave policies at the grantee level, provided that such policies adhere to applicable rules governing SCSEP grants, including the "Factors affecting allowability of costs" and "Reasonable costs" specified in Uniform Grant Guidance at 2 CFR 200.403 and 2 CFR 200.404, respectively. In general, consistent with 20 CFR 641.565(b)(1)(i), such policies must ensure uniform treatment of all participants under your project or sub-project. Grantees should already have such policies in place, but in light of the scope of the current situation, we encourage you to either review existing policies and amend them as necessary, or initiate new policies to govern the use of paid sick leave.

Rescheduled Work Time

Consistent with the SCSEP regulations' treatment of sick leave as cited above, where feasible, you may allow participants to "make up" missed time in a community service assignment or paid training activity by rescheduling the activity to a later date when the site reopens. The SCSEP regulations do not limit the opportunity to make up time to the next payroll period. As noted above, to ensure consistent and equitable treatment of sick leave, we encourage you to ensure that your organization's sick leave policies address situations in which participants receive paid sick leave versus rescheduled work time.

Assignments in Temporary Host Agencies and/or Remote Training Opportunities

Depending on the situation in your communities, you may also assign participants to perform community service training with temporary host agencies. For example, if you are in an area without broad community transmission, but one host agency must temporarily close due to suspected COVID-19 exposure, it may be appropriate to temporarily assign affected participants to an alternate host agency (note that affected participants would need to be reassigned accordingly in SPARQ).

Alternatively, you may engage participants in permissible online training activities or SCSEP meetings conducted remotely. Any training or supportive services activity that would normally be allowable under SCSEP can be used in an emergency situation such as COVID-19 (in this instance, participants would remain assigned to their current host agencies). Such activity must be reasonable and

documented. Keep in mind that specialized training activities must align and be consistent with the participant's Individual Employment Plan.

> **Q: To implement the options above, what should my next steps be, and will ETA need to approve my plan?**

Response: In many cases, you will be able to implement the activities described above without a formal modification to the grant statement of work (SOW), and without specific additional formal approval from ETA.

In particular, if you decide to amend or change your organization's sick leave policy (for paid sick leave and/or rescheduled work time) for SCSEP participants affected by COVID-19, this will not require a modification to the grant SOW. While your grant documents include program assurances in which you agreed to maintain policies and procedures covering necessary sick leave, we do not consider such policies part of your SOW; rather, they are policies that your Federal Project Officer (FPO) may review later during grant monitoring (similar to your other policies on fiscal controls, etc.) to ensure compliance with the grant terms and conditions.

Regarding the option to provide temporary host agency assignments to affected SCSEP participants, this activity should generally already be covered by your current SOW, since host agency assignments are a core component of every SCSEP project. Accordingly, a SOW modification would not be required to implement this activity.

Regarding remote training opportunities, these activities may also still fall under your current SOW and budget. However, depending on your current budget and whether or not you have a current Program Year 2019 approval for Additional Training and Supportive Services (ATSS) (per 20 CFR 641.874), you may need to modify your budget and/or submit an ATSS request to ensure that your proposed activities are properly reflected in your grant agreement. As needed, please work with your FPO to determine whether such requests are necessary.