**Section 112.78 TANF Employment and Work Activities**

a) Education Directly Related to Employment

Adult clients who have not received a high school diploma or GED and need further education to obtain a specific occupation, job, or job offer are placed in this program. It consists of Adult Basic Education (ABE), and English-as-a-Second-Language (ESL) programs. Clients may be required, in coordination with the education schedule, to participate in Job Readiness activities, job skills training, Job Search, and/or Work Experience at the same time they are attending the education/training program to the extent resources will allow.

1) Assignment to Education Directly Related to Employment

A) Individuals to be assigned to Education may include but are not limited to individuals:

i) who have limited English proficiency; and

ii) who do not read at or above a 9.0 grade level.

B) Educational activities may be combined with other activities if it is determined appropriate.

2) Approval Criteria for Education Directly Related to Employment

A) The program selected by the individual must be accredited under State law.

B) The individual's program must be needed for the participant to complete his or her Responsibility and Services Plan.

C) The individual must be enrolled full-time as defined by the institution or part-time if a full-time program is not available or appropriate.

D) When programs of comparable quality are available in more than one geographical area, the program selected will be the least costly in supportive service costs to the Department. When programs of comparable quality are available in the same geographical area, the individual may select a preferred program.

3) Participation Requirements

A) Participation must be full-time unless a full-time program is not readily available or a part-time program is most appropriate based on the individual's or family's circumstances.

B) Clients attending a program administered by the Illinois State Board of Education (ISBE) must maintain satisfactory progress as determined by the following:

i) active participation and pursuit of educational objectives;

ii) teacher's written remarks;

iii) grades;

iv) demonstrated competencies;

v) classroom exercises; and

vi) periodic test/retest results.

C) ISBE educational providers determine satisfactory progress based on a combination of the indicators listed above and test/retest results. The determination of satisfactory progress including test/retest results must be reported upon completion of the academic term or twice a year if the program is continuous for 12 months.

D) Clients attending a program not administered by ISBE must maintain satisfactory progress as determined by the written policy of the institution. The determination of satisfactory progress including test/retest results must be reported upon completion of the academic term or twice a year if the program is continuous for 12 months.

E) Curriculum changes must be made with the prior approval of TANF staff and will be approved when the change is consistent with the Responsibility and Services Plan.

F) Participation in Education Directly Related to Employment is a secondary activity that can be counted for a maximum of 10 hours per week when the client is also engaged in work or a countable work or training activity for 20 hours per week.

b) Vocational Training

Vocational Training is designed to increase the individual's ability to obtain and maintain employment. Vocational Training activities will include vocational skill classes designed to increase a participant's ability to obtain and maintain employment. Vocational Training may include certificate programs. Participants who are not working are limited to short-term Vocational Training programs lasting less than 12 months and may be required, in coordination with the education/training schedule, to participate in Job Readiness activities, job skills training, Job Search, and/or Work Experience at the same time they are attending the education/training program to the extent resources will allow.

1) Approval Criteria For Vocational Training

A) The individual's program must be accredited under requirements of State law.

B) The individual must be underemployed or unemployed and in need of additional training and the training will better prepare the participant to enter the labor force.

C) Co-enrollment in Education Directly Related to Employment and Vocational Training is encouraged if the individual does not have a high school diploma or GED.

D) The individual must apply for all available educational benefits such as the Pell Grant and scholarships from the Illinois Student Assistance Commission as well as any scholarship or grants identified by the education or training facility for which the participant may be eligible.

E) The individual must be enrolled full-time as defined by the institution or part-time if full-time is not available or appropriate.

F) Clients who are working at least 20 hours per week (10 hours per week if their youngest child is under age six) and whose combined work plus credit hours or class hours, as appropriate, equal at least 30 hours (20 hours if their youngest child is under age six) each week may be approved for vocational training after the 12-month limitation.

G) The individual must be in a program needed for the individual to obtain employment in a recognized occupation.

H) Jobs must be available in the chosen field in a specific geographical area where the individual intends to work consistent with the individual's Responsibility and Services Plan upon completion.

I) When programs of comparable quality are available in more than one geographical area, the program selected will be the least costly in supportive service costs to the Department. When programs of comparable quality are available in the same geographical area, the individual may select a preferred program.

J) Vocational Training may be combined with other activities if it is determined appropriate.

K) The individual must possess the aptitude, ability and interest necessary for success in the selected program as determined by such factors as test results and educational/training background.

2) Participation Requirements

A) Participation must be full-time unless a full-time program is not readily available or a part-time program is most appropriate based on the individual's or family's circumstances.

B) The individual must maintain a "C" average if this measurement is used by the institution to determine satisfactory progress. The individual will be allowed one semester below a "C" average to bring the grades up to a "C" average. When grades are not used, progress will be determined by the written policy of the institution to establish a comparable grade level upon completion of the academic term.

C) The individual must participate the assigned number of hours each week.

D) The client must complete all scheduled program enrollment hours each academic term to maintain satisfactory progress, except in the following situation. If the client withdraws from one or more scheduled courses during an academic term, the client must complete all scheduled enrollment hours during the following academic term. The client may withdraw from one or more scheduled classes in more than one academic term, but must complete all scheduled enrollment hours the following academic term to maintain satisfactory progress.

E) Curriculum changes must be made with the prior approval of TANF and will be approved when the change is consistent with the Responsibility and Services Plan.

c) Education at Secondary School

1) A minor parent age 19 or under who has not completed secondary school or received his or her GED is placed in this program. Regular attendance at a secondary school or in a course of study leading to a GED is required. The client must make satisfactory progress as defined by a passing grade. Grades must be reported upon completion of the academic term or twice a year if the program is continuous for 12 months. If it is determined that secondary school is inappropriate or not the best option for an 18 or 19 year old parent, the 18 or 19 year old parent may be assigned to work activities or training.

2) Adult Client

The Department shall approve participation in high school or a high school equivalency program upon written or oral request of the adult client if he or she has not already earned a high school diploma or a high school equivalency certificate. However, participation may be delayed as part of an applicant's or recipient's personal plan for achieving employment and self-sufficiency if it is determined that the benefit from participating in another activity would be greater to the client than participation in high school or a high school equivalency program. The availability of high school or high school equivalency programs may also delay enrollment in these programs. The Department shall treat these activities as a core activity as long as satisfactory progress is made, as determined by the high school or high school equivalency program. (See subsections (a)(3)(B) through (E) for criteria to determine satisfactory progress.) Proof of satisfactory progress shall be provided by the client or the school at the end of each academic term. The Department shall treat participation in high school or a high school equivalency program as a core activity and shall count participation in high school or a high school equivalency program toward the first 20 hours per week of participation.

d) Job Skills Training Directly Related to Employment

1) Description of Job Skills Training

Job skills training directly related to employment is training and education for job skills required by an employer to provide an individual with the ability to obtain employment or to advance or adapt to the changing demands of the workplace. This can include literacy instruction or language instruction when the instruction is explicitly focused on skills needed for employment.

2) Assignment to Job Skills Training

A client may be assigned to Job Skills Training when:

A) The client is working or in another countable work or training core activity at least 20 hours per week.

B) The client needs additional training to qualify for or to retain employment in a recognized occupation that will make the family self-supporting.

C) The client has a GED or high school diploma, if it is required for training or employment in the chosen field.

D) The client has the ability and interest needed for success in the training. This is determined by test results, educational/training background, and talking to the client.

E) Jobs are available in the chosen field in which the client intends to work.

e) Job Readiness

1) The Job Readiness activities are designed to enhance the quality of the individual's level of participation in the world of work while learning the necessary essentials to obtain and maintain employment. These activities help individuals gain the necessary job finding skills to help them find and retain employment that will lead to economic independence.

2) Assignment to Job Readiness

Job Readiness activities may be combined with other activities if it is determined appropriate.

3) Participation requirements

A) Participation must be full-time unless a full-time program is not readily available or a part-time program is most appropriate based on the individual's or family's circumstances.

B) The individual must attend all scheduled classes or sessions. The individual must be making satisfactory progress as defined by the written policy of the job readiness provider and approved by the Department.

C) The individual must participate the number of assigned hours each week.

D) The individual must respond to a job referral, accept employment and respond to mail-in contact.

f) Job Search

1) Description of Job Search

Job Search may be conducted individually or in groups. Job Search may include the provision of counseling, job seeking skills, training and information dissemination. Group Job Search may include training in a group session.

2) Assignment to Job Search

A) If assessed as job ready, participants will be assigned to Job Search. If job ready clients are unable to find employment on their own, they will be reassessed and may be placed in a more appropriate activity within six months.

B) Individuals completing education or vocational training or Job Readiness training may be assigned to Job Search.

C) Job Search may be combined with other activities if it is determined appropriate.

3) Participation Requirements

A) Participants must attend all scheduled classes or sessions. Participants will be notified in writing of all meetings.

B) Individuals must contact employers in an effort to secure employment.

C) Acceptable employer contacts may include but are not limited to:

i) a face-to-face contact with an employer or the employer's representative;

ii) the completion and return of an application to an employer, including an online application;

iii) the completion of a civil service test required for employment with State, local, or the federal government or the completion of a Department of Employment Security (DES) screening test;

iv) the completion and mailing of a resume with a cover letter to a recognized employer;

v) reporting to the union hall for union members verified to be in good standing; or

vi) registration with DES/Illinois Employment and Training Center (IETC).

g) Community Work Experience

TANF participants who have not found employment and who need orientation to work, work experience or training are placed on a supervised work assignment to improve their employment skills through actual Work Experience at private or not-for-profit employers, organizations and governmental agencies. Participants are referred to work assignments as vacancies are available. Participants in Work Experience may perform work in the public interest (which otherwise meets the requirements of this Section) such as enrollment as a full-time AmeriCorps VISTA volunteer or Job Corps participant under Title I of the 1973 Domestic Volunteer Services Act (42 USC 4951 et seq.) for a Federal office or agency with its consent, and, notwithstanding 31 USC 1342 or any other provision of law, such agency may accept such services but such participants shall not be considered to be federal employees for any purpose.

1) Assignment to Community Work Experience

A) Community Work Experience is for:

i) participants who will benefit from working for an employer who provides a subsidized employment assignment to improve the individual's opportunity to attain self-sufficiency; or

ii) participants who need experience to prevent deterioration of, or to enhance, existing skills (for example, typing).

B) Entry into Community Work Experience

Participants are determined to be appropriate for Community Work Experience activity based on an assessment of their education, training and employment history. Procedures used in the assessment are a face-to-face meeting with the participant and a review of all available information on the participant (including, but not limited to, the individual's case record and Responsibility and Services Plan).

C) Community Work Experience Positions

Participants shall be assigned to a Community Work Experience position to increase the potential for attaining employment. The date participants are scheduled to begin the work assignment marks the beginning of participation in Community Work Experience. Community Work Experience activities may be combined with other activities if it is determined appropriate.

D) Enrollment as a full-time Americorps VISTA volunteer or Job Corps participant under Title I of the 1973 Domestic Volunteer Services Act (42 USC 4951 et seq.) is an allowable work activity. Paid work study and some paid Workforce Investment Act (WIA) programs are also allowable.

2) Participation Requirements

A) The hours of the work assignment for a calendar month shall not exceed the family's monthly TANF grant and food stamp allotment divided by the higher of the State or federal minimum wage. When this calculation results in less than 20 hours, the 20 hour TANF work requirement will be deemed met when the individual is working the maximum number of hours permitted under this calculation.

B) During work assignment, participants shall be required to perform Job Search activities unless a participant is in an education and training program. Participants are required to accept bona fide offers of employment pursuant to Section 112.72.

C) Participants are also required to report as scheduled and on time to their Work Assignment Sponsor when notified of an assignment. When they cannot report to their work assignment or if they will be late, they are to immediately notify their Work Assignment Sponsor.

D) Participants must participate the number of assigned hours each week.

3) Review

Every six months, the participant's Responsibility and Services Plan will be reviewed. If continuing the work assignment will benefit participants in terms of furthering work skills (see subsections (g)(1)(A) and (B)), participants shall be reassigned to the same or another work assignment. In addition, participants will be assessed for assignment to another TANF activity.

4) Length of Assignment

Participants must participate in Work Experience for as long as the Responsibility and Services Plan reflects the need for this activity.

5) Anti-Displacement

Community Work Experience is subject to the provisions of Section 112.78(q).

h) On the Job Training (OJT)

In OJT, a participant is hired by a private or public employer and while engaged in productive work receives training that provides knowledge or skills essential to full and adequate performance of the job.

1) Assignment to OJT

A) Job ready individuals may be assigned to OJT.

B) OJT participants shall be compensated at the same rate and with the same benefits as other employees.

C) Wages to participants in OJT shall not be less than the higher of the State or federal minimum wage.

D) Wages to participants in OJT are considered earned income.

E) OJT may be combined with other component activities if it is determined appropriate.

2) Participation Requirements

The individual must participate the assigned number of hours each week.

3) Supportive Services

Participants in OJT receive child care and Medicaid benefits.

i) Work Supplementation Program

1) The Work Supplementation Program develops employment opportunities for TANF recipients by paying wage subsidies to employers who hire program participants. The program is funded by diverting the cash grant an individual would receive if not employed and using the diverted grant to pay a wage subsidy to the employer who hires the recipient. The goal of the Work Supplementation Program is to obtain jobs for TANF recipients, who might not be hired without a subsidy, with sufficient pay to take them off TANF.

2) Eligible Participants

A) TANF participants who meet the selection criteria listed in subsection (i)(2)(B) are eligible to participate in the Work Supplementation Program. Participation in the program is voluntary. A TANF recipient who wants to participate in the Work Supplementation Program must agree to all provisions in this Section during the time of participation in the program.

B) In order to place special emphasis on people who would not be likely to obtain a job without work supplementation, TANF recipients must meet the following criteria for selection to participate in the Work Supplementation Program:

i) the recipient must be the parent of at least one of the children in the TANF unit;

ii) the recipient must have completed the Job Search work activity; and

iii) the recipient must have no income other than TANF benefits.

C) Recipients identified for employment must be determined eligible for participation by their worker. The worker will recommend for participation in the Work Supplementation Program those participants who are likely to encounter difficulty in obtaining employment (for example, lack of skills for which jobs are available in the area, lack of work history).

D) Nothing in this Section should be construed as providing any recipient the right to participate in the program.

3) Benefits and Reporting Requirements While Participating in the Work Supplementation Program

A) Participants in the Work Supplementation Program are considered to be TANF recipients and remain eligible for Medical Assistance for the duration of their Work Supplementation Program participation. Child care, for cases that are eligible for a cash grant, will be regarded as employment child care.

B) The participant must agree to accept wages from employment, which will be at least an amount which would be earned by working full time (30 hours minimum) at the prevailing minimum wage, less applicable payroll taxes.

C) Participants are required to file reports every six months as a requirement for continuing eligibility.

D) Wages paid under a Work Supplementation Program shall be considered to be earned income for purposes of any provision of law (42 USC 1614(e)(3)).

4) Duration of Program Participation

A) Participants may not exceed a total of six months in the Work Supplementation Program subsidized placements regardless of the number of times an individual becomes a TANF recipient. The period of a single assignment is dependent upon the terms of the Work Supplementation Program contract that has been developed with the employer. Recipients will be informed of the length of the Work Supplementation Program subsidy period prior to placement.

B) Participants who leave a supported work position without good cause (as defined in Section 112.80) are removed from the Work Supplementation Program and are subject to sanction.

5) Contracts with Employers

A) Employers that participate in the Work Supplementation Program must enter into a written contract with the Department prior to receiving referrals.

B) Employers must be in good standing (that is, in compliance with all applicable federal, State, county and local laws, regulations and ordinances) with the Illinois Department of Revenue, the Secretary of State and any and all regulatory agencies that have jurisdiction over their activities.

C) Employers agree to screen clients to hire on their own payroll after six months. Failure to do so will result in the employer being terminated from the program.

6) Calculation of the Diverted Grants

A) The level of grant to be diverted is determined on a prospective basis when a work assignment under the Work Supplementation Program is made. The effective date of the diverted grant is the first day of the first full month of Work Supplementation Program wages.

B) Work Supplementation Program participants are eligible only for the earned income budgeting disregards provided in Sections 112.141 and 112.143. The difference between the flat grant amount and revised amount is diverted to the wage pool.

C) The difference between the payment level and the grant the participant receives is diverted and used in whole or in part to pay a wage subsidy to the employer.

7) Program Completion

If the participant is no longer eligible for TANF benefits after the Work Supplementation Program period, a determination of continued medical eligibility shall be made in accordance with Section 112.330.

8) Anti-Displacement

The Work Supplementation Program is subject to the provisions of Section 112.78(q).

j) Bachelor Degree Program

A Bachelor Degree Program must be administered by an educational institution accredited under requirements of State law including, but not limited to, the Barber, Cosmetology, Esthetics, Hair Braiding, and Nail Technology Act of 1985 [225 ILCS 410], the Real Estate License Act of 2000 [225 ILCS 454], the Public Community College Act [110 ILCS 805], the University of Illinois Act [110 ILCS 305], the Chicago State Universities Law [110 ILCS 660], the Eastern Illinois University Law [110 ILCS 665], the Governors State University Law [110 ILCS 670], the Illinois State University Law [110 ILCS 675], the Northeastern Illinois University Law [110 ILCS 680], the Northern Illinois University Law [110 ILCS 685], the Western Illinois University Law [110 ILCS 690] and the Southern Illinois University Management Act [110 ILCS 520].

1) Approval Criteria For a Bachelor Degree Program

A) The individual must have a high school diploma or a GED.

B) Approval of a Bachelor Degree program is part of the process of developing the Responsibility and Services Plan (RSP) with the client. Factors to consider when determining whether a Bachelor Degree program is appropriate include, but are not limited to, the client's educational and work history, the client's aptitude for further education, the client's career goal, the client's ability to finance tuition and other expenses not provided by the Department, and the client's ability to arrange transportation, child care and other family obligations.

C) The individual must be enrolled full-time as defined by the institution or part-time if a full-time program is not available or appropriate to upgrade skills for current employment.

D) The individual must be in a program needed for the individual to obtain employment in a recognized occupation or upgrade skills for current employment.

E) The individual does not already possess a baccalaureate degree or an associate degree if the Responsibility and Services Plan goal is an associate degree.

F) If the participant possesses a baccalaureate degree, no additional education may be approved.

G) The individual's program must be accredited under requirements of State law.

H) If needed, the individual must apply for all available educational benefits, such as the Pell Grant and scholarships from the Illinois Student Assistance Commission, as well as any scholarship or grants identified by the education or training facility for which the participant may be eligible.

I) Jobs, consistent with the individual's Responsibility and Services Plan, must be available in the chosen field in a specific geographical area where the individual intends to work upon program completion.

J) When programs of comparable quality are available in more than one geographical area, the program selected will be the least costly in supportive service costs to the Department. When programs of comparable quality are available in the same geographical area, the individual may select a preferred program.

K) The program selected may be no more than a program that will result in the receipt of a baccalaureate degree consistent with the Responsibility and Services Plan.

L) For category 04 (one parent) cases, the individual, unless exempted under subsection (i)(1)(N) of this Section, must also be employed in unsubsidized work for at least 20 hours each week or be participating for at least 20 hours per week in one or more of the paid or unpaid work activities listed in this subsection (j)(1)(L). In addition, the combined work or work activities plus credit hours or class hours, as appropriate, must equal at least 30 hours per week.

i) Work study;

ii) Practicums, clinicals, or vocational internships such as student teaching, if required by the institution to complete the educational program;

iii) Apprenticeships;

iv) Self-employment; or

v) Enrollment as a full-time Americorps VISTA volunteer or Job Corps participant under Title I of the 1973 Domestic Volunteer Services Act (41 USC 4951 et seq.).

M) For category 06 (two parent) cases, the parents in the case must be working or involved in approved work activities for a total of 35 hours per week, individually or combined.

N) Clients in a category 04 case with an approved RSP for full-time Bachelor Degree program and a cumulative 2.5 or better grade point average (on a 4.0 scale) may not be subject to the minimum work requirement, described in subsection (i)(1)(L), as follows:

i) For the first semester, while the client is establishing a grade point average, the client will not be subject to the minimum work requirement. If a 2.5 grade point average is not achieved in the first semester, the client will be subject to the minimum work requirement in the second semester.

ii) As long as the client's cumulative GPA remains at least 2.5, the client will not be subject to the minimum work requirement.

iii) If the client's cumulative GPA falls below 2.5 at any time, the client may continue to go to school full-time for another semester without being subject to the minimum work requirement.

iv) If the cumulative GPA is below 2.5 two semesters in a row, the client will be subject to the minimum work requirement.

O) Individuals who lose employment, unless due to a temporary scheduled employer shutdown, can continue in a Bachelor Degree program and receive supportive services, if eligible, during the current semester while they seek employment. If the individual has not reentered employment by the end of the current semester, the individual will not continue in post-secondary education and receive supportive services, but will be reassigned to another appropriate activity.

2) Participation Requirements

A) The individual must maintain a "C" average if this measurement is used by the institution to determine satisfactory progress. The individual would be allowed one semester below a "C" average to bring the grades up to a "C" average. When grades are not used, satisfactory progress will be determined by the written policy of the institution to establish a comparable grade level upon completion of the academic term.

B) The client must complete all scheduled program enrollment hours each academic term to maintain satisfactory progress, except in the following situation. If the client withdraws from one or more scheduled courses during an academic term, the client must complete all scheduled enrollment hours during the following academic term. The client may withdraw from one or more scheduled classes in more than one academic term but must complete all scheduled enrollment hours the following academic term to maintain satisfactory progress.

C) Curriculum changes must be made with the approval of the TANF worker and will be approved when the change is consistent with the Responsibility and Services Plan.

k) Job Development and Placement (JDP)

1) TANF staff shall develop through contacts with public and private employers unsubsidized job openings for participants. Job interviews will be secured for clients by the marketing of participants for specific job openings.

2) Assignment to JDP

Job ready individuals may be assigned to JDP.

l) Job Retention

Job Retention is designed to assist participants in retaining employment. Job Retention expenses are provided. The individual's supportive service needs are assessed and the individual receives counseling regarding Job Retention skills. Counseling or job coaching may continue after employment begins as long as the individual continues to receive TANF.

m) Community Service

Community Service is a structured program of activities in which the client performs work for the direct benefit of the community. Community Service programs serve a useful community purpose in fields such as health, social service, environmental protection, education, urban and rural redevelopment, welfare, recreation, public facilities, public safety, and childcare. Community service can occur at locations such as libraries, area schools, soup kitchens, food pantries, senior citizen centers, nursing homes, hospitals, social service agencies and homeless shelters.

1) Community Service Positions

Clients shall be assigned to a Community Service position to increase the potential for attaining employment. Each Community Service position will have a position description that describes the duties and the expectations of clients assigned to Community Service. The date a client is scheduled to begin the Community Service assignment marks the beginning of participation in Community Service. Community Service activities may be combined with other activities if it is determined appropriate.

2) Participation Requirements

A) The hours of the Community Service assignment for a calendar month shall not exceed the family's monthly TANF grant and food stamp allotment divided by the higher of the State or federal minimum wage. When this calculation provides less than 20 hours, the 20 hours will be deemed met when the individual is participating in the maximum number of hours permitted under the minimum wage provision.

B) During Community Service assignment, participants shall be required to perform Job Search activities unless a participant is in an education and training program or is not job ready. Participants are required to accept bona fide offers of employment pursuant to Section 112.72.

C) Participants are also required to report as scheduled and on time to their Community Service sponsor when notified of an assignment. When they cannot report to their work assignment or if they will be late, they are to immediately notify their Work Assignment Sponsor.

D) Participants must participate in the number of assigned hours each week.

3) Review

At the reassessment the participant is assigned to the more structured Work Experience activity when the participant becomes more job ready.

n) Substance Abuse

1) Selection of Participants

If alcohol or substance abuse is suspected as a barrier to employment during the family assessment process or at an intake interview, the client will be referred for a clinical assessment by an alcohol/substance abuse counselor. If treatment is indicated, the client will be required to follow-up as a condition of eligibility, unless the client is employed more than 30 hours per week or if treatment resources are not available.

2) Barrier Reduction Activity

Clients participating in alcohol/substance abuse treatment in accordance with their Responsibility and Services Plan are participating in a barrier reduction activity.

3) Supportive Services

Supportive services, i.e., child care and transportation, will be provided to enable clients' participation in treatment, to the extent resources are available.

4) Sanctions

A) Reconciliation will be attempted with clients who fail to cooperate with their treatment plan. Cooperation with the treatment plan will be defined by the alcohol/substance abuse provider, based on uniform guidelines.

B) When reconciliation is unsuccessful, the TANF sanctions will apply.

o) Domestic or Sexual Violence

1) Selection of Participants

All clients receiving TANF will have a family assessment completed. If domestic or sexual violence is a barrier to employment, the client will be referred to a domestic or sexual violence service provider.

2) Barrier Reduction Activity

Clients participating in domestic violence abuse treatment in accordance with their Responsibility and Services Plan are participating in a barrier reduction activity.

3) Supportive Services

Supportive Services, i.e., child care and transportation, will be provided to enable clients' participation in treatment, to the extent resources are available.

4) Sanctions

If the individual does not comply with the Responsibility and Services Plan relating to domestic or sexual violence, a sanction will not be imposed. The Responsibility and Services Plan will be reviewed, and other work related activities will be developed. Compliance will be required for the new activities.

p) Anti-Displacement and Grievance Procedure

1) An employer may not utilize a work activity participant if such utilization would result in:

A) the displacement or partial displacement of current employees, including but not limited to a reduction in hours of non-overtime or overtime work, wages, or employment benefits; or

B) the filling of a position that would otherwise be a promotional opportunity for current employees; or

C) the filling of a position created by or causing termination, layoff, a hiring freeze, or a reduction in the workforce; or

D) the placement of a participant in any established unfilled vacancy; or

E) the performance of work by a participant if there is a strike, lockout, or other labor dispute in which the employer is engaged.

2) An employer who wishes to utilize work activity participants shall notify the appropriate labor organization in accordance with Section 9A-13 of the Public Aid Code.

3) Participants, other employees at the work site or their representative, may file a grievance with the Department if they believe the participant's work assignments are causing displacement. In order for the Department to consider a grievance, it must be in writing and contain the following information:

A) the name and address of the participant or other employee at the work site (the grievant);

B) the participant's case number (if grievant is participant);

C) the grievant's Social Security number;

D) Work Experience (work site); and

E) a statement as to why the grievant believes the participant is causing displacement.

4) Within ten days after receipt of a written grievance, the Department shall arrange an in-person conference with:

A) the grievant;

B) the grievant's representative, if any;

C) the Work Experience Sponsor;

D) the Work Experience Sponsor's representative, if any; and

E) the Department's representative.

5) At the in-person conference, the Department shall solicit and receive from the grievant and the Work Experience Sponsor any documents and statements relevant to the matters alleged in the grievance. The Work Experience Sponsor shall provide whatever documents or other information is requested by the grievant and/or the Department.

6) Within 15 days after the in-person conference, the Department shall advise the participant or other employee at the work site and the Work Experience Sponsor in writing of the information obtained in the investigation and of the findings and conclusions as to the matters alleged in the grievance.

7) If the Department concludes that displacement occurred (as described in subsection (q)(1)), the Department shall terminate the participant's assignment to that Work Experience Sponsor. If the Department concludes, as a result of the evidence presented at the conference, that the Work Experience Sponsor has caused displacement by use of TANF participants in addition to the participants involved in the grievance, the Department shall terminate those TANF participants' assignment to that Work Experience Sponsor.

8) The Department, its employees or the Work Experience Sponsor shall not retaliate for filing a grievance or otherwise proceeding under this policy. Retaliation will result in the termination of the Work Experience Sponsor contract.

(Source: Amended at 46 Ill. Reg. 5281, effective March 9, 2022)