

CHAPTER 3301

DEPARTMENT OF ECONOMIC SECURITY

COMMUNITY INVESTMENT PROGRAMS

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3301.0180 PURPOSE AND APPLICABILITY.

Subpart 1. **Scope.** The purpose of parts 3301.0180 to 3301.0230 is to establish administrative standards and the terms and conditions of participation for the community investment program authorized by Minnesota Statutes, section 268.90.

Subp. 2. **Applicability.** Parts 3301.0180 to 3301.0230 apply to participants in community investment programs, county boards authorized to establish these programs, and participating employers.

Statutory Authority: *MS s 268.0122; 268.021; 268.90*

History: *18 SR 508*

3301.0190 DEFINITION.

Subpart 1. **Scope.** For purposes of parts 3301.0180 to 3301.0230, the following term has the meaning given it.

Subp. 2. **Participant.** "Participant" means a person who is temporarily employed in a community investment program and who is:

A. a recipient of general assistance, work readiness, or aid for families with dependent children;

B. eligible to receive a general assistance grant but has not applied for the grant;

C. unemployed, is not receiving and is not qualified to receive unemployment compensation or workers' compensation, and is determined to be likely to be available for employment by an eligible employer for the duration of the job; or

D. enrolled in an employment and training program which includes Minnesota conservation corps, Minnesota summer youth program, county emergency jobs program, job training partnership act, and work readiness grant diversion.

Statutory Authority: *MS s 268.0122; 268.021; 268.90*

History: *18 SR 508*

3301.0200 PROGRAM STANDARDS.

Subpart 1. **Establishment of community investment programs.** A county board may establish a community investment program which includes one or more projects and which may incorporate funding and terms and conditions of other employment and training programs. A community investment program must:

A. provide temporary employment to people who are experiencing prolonged unemployment and economic hardship;

B. provide participants with training and work experience that will enhance their employability;

C. benefit the state and community and include activities described in Minnesota Statutes, section 268.90, subdivision 1;

D. not include work that replaces part or all of the work of a public employee position established as of July 1, 1992; and

E. provide employment for participants according to the terms and conditions of the programs used to fund the community investment program. These programs

include job training partnership act, Minnesota conservation corps, general assistance or work readiness grant diversion, and Minnesota summer youth.

Statutory Authority: *MS s 268.0122; 268.021; 268.90*

History: *18 SR 508*

3301.0210 PROGRAM ADMINISTRATION.

Subpart 1. County board authority. The county board is responsible for planning, implementing, and operating a community investment program according to parts 3301.0180 to 3301.0230. The county board may contract the delivery of services to a service provider certified according to Minnesota Statutes, section 268.871.

Subp. 2. Requirements of community investment program employers. The county board or service provider shall ensure by written contract that community investment program project employers meet the conditions of employment identified in Minnesota Statutes, section 268.90, subdivision 2, paragraphs (a) to (d), and provide verification, if applicable, of compliance with workers' compensation laws; affirmative action; and fair labor, health, safety, and environmental standards.

Subp. 3. Monitoring. The county board or service provider shall establish regular, on-site monitoring to ensure that all employment conditions are met and that participants are progressing toward work adjustment and self-sufficiency.

Subp. 4. Record access. The county board or service provider shall permit access to and the right to examine for audit and monitoring purposes any books, documents, papers or records, and accounting procedures of the service provider relevant to the community investment program. Access to participant records shall be subject to the Minnesota government data practices act, Minnesota Statutes, chapter 13.

Subp. 5. Support services. The county board shall:

A. arrange for or provide child care, transportation, and other necessary services to participants;

B. arrange for payment of support services directly to the vendor or reimbursement to the participant or service provider; and

C. maximize available resources from other programs including work readiness service funds, sliding fee child care, and job training partnership act to provide or arrange for support services.

Subp. 6. Length of participation. The county board or its service provider shall set the length of community investment program employment according to the terms and conditions of other programs which fund community investment program employment.

Statutory Authority: *MS s 268.0122; 268.021; 268.90*

History: *18 SR 508*

3301.0220 PROGRAM PLAN.

Subpart 1. Community investment program plans. County boards electing to establish a community investment program shall submit a plan for approval to the commissioner by April 15, 1993. The county board must submit an annual update thereafter.

Subp. 2. Community investment program plan content. Community investment program plans shall cover a two-year fiscal period and shall include:

A. a designation and description of the administering entity, which may be:

- (1) the county board;
- (2) a regional joint powers board;
- (3) a joint human services board; or
- (4) a contract service provider;

B. identification of any other governmental unit or private organization with which the county agency will jointly fund and administer a community investment program project and a statement of benefit resulting from the joint effort;

C. a list of other consulted and involved employee representatives, nonprofit organizations, governmental units, community action agencies, community-based organizations, local union representatives, and client group representatives;

D. a description of the projects, including geographical areas of the county or counties served;

E. program objectives for the participants and the community;

F. the estimated number of participants;

G. the arrangement of payment for participant support services costs; and

H. the sources of funding to be used by the county or its service provider to subsidize participant wages and support services.

Subp. 3. Community investment program plan approval criteria. The commissioner shall approve or disapprove county plans or the plan's annual update on the basis of:

A. inclusion of all items in subpart 2;

B. demonstration and documentation of the county's or the service provider's ability to:

(1) deliver the programs and services to be provided; and

(2) ensure that clients receive appropriate employment and training services in a fair and expeditious manner;

C. coordination of community investment program activities with other agencies or programs providing employment and training activities to minimize duplication of efforts, including job service, job training partnership act, private industry councils, and vocational education;

D. provision of required support services, such as child care, transportation, and work-related expenses as necessary for clients;

E. responsiveness of community investment program work experience or training to the local labor market conditions and the employment outlook in the area; and

F. inclusion of available monitoring and evaluation information and the county's or local agency's response to corrective actions.

Statutory Authority: *MS s 268.0122; 268.021; 268.90*

History: *18 SR 508*

3301.0230 CONDITIONS OF EMPLOYMENT.

Subpart 1. Referral conditions. The county board or its service provider shall not offer community investment program employment to participants unless the following employment and training service priorities have been determined unavailable due to lack of funds or local labor market conditions:

A. permanent, unsubsidized, full-time private, public, or nonprofit sector employment;

B. permanent, subsidized full-time private, public, or nonprofit sector employment;

C. permanent, subsidized part-time nonprofit sector employment;

D. training;

E. relocation; and

F. part-time subsidized, nonprofit, or public employment with continued assistance to obtain full-time permanent employment.

Subp. 2. Work hours. The standards in items A and B shall be used to determine the minimum and maximum number of hours community investment program participants will be required to work.

A. No participant shall be required to work less than eight hours or allowed to work more than 32 hours of a 40-hour work week. The remaining eight hours must be available to the participant for individual voluntary job search.

B. Subject to item A, the number of hours a participant will work shall be the number:

(1) required by a community investment program employer for successful project operation;

(2) necessary to achieve the employment and training objectives identified in the participant's employability development plan; or

(3) established by the requirements of the program funding the community investment program.

Subp. 3. **Wages.** Community investment program participants shall be paid the state minimum wage, the wage paid at the work site for similar work, or the wage paid to employees doing comparable work in that locality, whichever is greater.

Subp. 4. **Travel distance.** A participant shall not be required to travel more than two hours round trip between home and the work site, excluding time required to take children to and from a child care facility.

Subp. 5. **Support services.** A participant shall not be required to participate in community investment program employment unless necessary support services are arranged for or provided to ensure that the participant incurs no out-of-pocket expenses.

Statutory Authority: *MS s 268.0122; 268.021; 268.90*

History: *18 SR 508*