

1 Department of Jobs and Training

2

3 Adopted Permanent Rules Relating to Community Investment

4 Programs

5

6 Rules as Adopted

7 3301.0180 PURPOSE AND APPLICABILITY.

8 Subpart 1. **Scope.** The purpose of parts 3301.0180 to  
9 3301.0230 is to establish administrative standards and the terms  
10 and conditions of participation for the community investment  
11 program authorized by Minnesota Statutes, section 268.90.

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

16 3301.0190 DEFINITION.

17 Subpart 1. **Scope.** For purposes of parts 3301.0180 to  
18 3301.0230, the following term has the meaning given it.

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

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

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

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

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

34 3301.0200 PROGRAM STANDARDS.

1 Subpart 1. Establishment of community investment

2 programs. A county board may establish a community investment  
3 program which includes one or more projects and which may  
4 incorporate funding and terms and conditions of other employment  
5 and training programs. A community investment program must:

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

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

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

13 D. not include work that replaces part or all of the  
14 work of a public employee position established as of July 1,  
15 1992; and

16 E. provide employment for participants according to  
17 the terms and conditions of the programs used to fund the  
18 community investment program. These programs include job  
19 training partnership act, Minnesota conservation corps, general  
20 assistance or work readiness grant diversion, and Minnesota  
21 summer youth.

22 3301.0210 PROGRAM ADMINISTRATION.

23 Subpart 1. County board authority. The county board is  
24 responsible for planning, implementing, and operating a  
25 community investment program according to parts 3301.0180 to  
26 3301.0230. The county board may contract the delivery of  
27 services to a service provider certified according to Minnesota  
28 Statutes, section 268.871.

29 Subp. 2. Requirements of community investment program

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

1 labor, health, safety, and environmental standards.

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

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

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

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

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

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

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

29 3301.0220 PROGRAM PLAN.

30 Subpart 1. **Community investment program plans.** County  
31 boards electing to establish a community investment program  
32 shall submit a plan for approval to the commissioner by April  
33 15, 1993. The county board must submit an annual update  
34 thereafter.

35 Subp. 2. **Community investment program plan content.**

1 Community investment program plans shall cover a two-year fiscal  
2 period and shall include:

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

5 (1) the county board;

6 (2) a regional joint powers board;

7 (3) a joint human services board; or

8 (4) a contract service provider;

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

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

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

19 E. program objectives for the participants and the  
20 community;

21 F. the estimated number of participants;

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

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

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

30 A. inclusion of all items in subpart 2;

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

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

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

1 manner;

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

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

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

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

16 3301.0230 CONDITIONS OF EMPLOYMENT.

17 Subpart 1. ~~Mandatory participation--The county board may~~  
18 ~~mandate participation of work readiness registrants in a~~  
19 ~~community investment program--Aid for families with dependent~~  
20 ~~children or general assistance recipients, with the exception of~~  
21 ~~general assistance family members who are required to~~  
22 ~~participate in work readiness, may not be mandated to~~  
23 ~~participate in community investment programs--Work readiness~~  
24 ~~registrants who are required to participate in a community~~  
25 ~~investment program must accept and complete community investment~~  
26 ~~program placements or be terminated from work readiness services~~  
27 ~~and payments.~~

28 Subp. 2. Referral conditions. The county board or its  
29 service provider ~~may~~ shall not offer community investment  
30 program employment to participants ~~only after~~ unless the  
31 following employment and training service priorities have been  
32 determined unavailable due to lack of funds or local labor  
33 market conditions:

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

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

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

5 D. training;

6 E. relocation; and

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

10 Subp. 3- 2. **Work hours.** The standards in items A and B  
11 shall be used to determine the minimum and maximum number of  
12 hours community investment program participants will be required  
13 to work.

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

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

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

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

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

27 Subp. 4- 3. **Wages.** Community investment program  
28 participants shall be paid the state minimum wage, the wage paid  
29 at the work site for similar work, or the wage paid to employees  
30 doing comparable work in that locality, whichever is greater.

31 Subp. 5- 4. **Travel distance.** A participant shall not be  
32 required to travel more than two hours round trip between home  
33 and the work site, excluding time required to take children to  
34 and from a child care facility.

35 Subp. 6- 5. **Support services.** A participant shall not be  
36 required to participate in community investment program

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1 employment unless necessary support services are arranged for or  
2 provided to ensure that the participant incurs no out-of-pocket  
3 expenses.