

## STATEMENT OF NEED AND REASONABLENESS

### INTRODUCTION

The rules are presented by the Department of Jobs and Training (DJT) in accordance with the provisions of the Minnesota Administration Procedures Act (APA), Minnesota Statutes 1422 to 1428. The proposed rules have been developed as required by Minnesota Statutes 268.90, Subdivision 2(f), 3(a).

**Purpose.** This section defines specified conditions under which the community investment program will operate. The usage of language to clarify those standards, terms and conditions provides specific guidelines to those county boards implementing the Community Investment Program. This rule is necessary and reasonable to establish a process by which Community Investment Programs will be implemented.

**Scope.** This section clarifies the definitions that apply to this entire sequence of rules.

**Participant.** An individual who is employed in a community investment program. Individuals may either be voluntary or mandatory for CIP participation and may include recipients of general assistance, work readiness or aid to families with dependent children. This term is necessary to show the scope of individuals who may participate. The definition is reasonable in that it provides a common identification of individuals employed in community investment programs.

**Program Standards.** This section allow county boards the option of establishing the Community Investment Program which includes one or more projects. Part 3301.0210, Subp. 1 outlines the steps the county boards must follow in the implementation of a CIP. The county board will be responsible for providing temporary employment to individuals who have experienced long periods of unemployment. This is necessary because it provides clear guidelines to those county boards implementing community investment programs. The definition is reasonable because it ensures uniformity in the submission of CIP plans.

**County Board Authority.** This section is needed to provide county board responsibilities in planning, implementing, and operating a Community Investment Program. This section provides county boards the option of contracting the delivery of services to certified service providers. This section is necessary to ensure that the county board exerts its authority in setting the standards for CIP programs. This definition is reasonable to ensure that county boards and or their certified provider carry out the responsibilities included in this section.

The Legislative Commission to  
Review Administrative Rules

NOV 19 1992

Requirements of CIP employers. This section outlines program requirements for CIP employers. This section is necessary because it ensures that participants in the community investment program will be employed in a safe work environment and will be protected with necessary equipment. This section is reasonable because it is consistent with the fair labor law which require employers to comply with worker's compensation laws; affirmative action; and fair labor, health, safety, and environmental standards and to establish procedures for resolving disputes regarding working conditions.

Monitoring. This section requires the county board or service provider to establish regular, on-site access to ensure that employers are adhering to contractual agreements regarding layoffs, payroll related functions, and maintaining worker's compensation. This section is reasonable and necessary to allow Department of Jobs and Training field representatives and/or auditors to review CIP program records on an on-going basis.

Record Access. This section requires the county board, service provider or CIP employer to permit auditing and monitoring of payroll records, documents, and accounting procedures relevant to the CIP program. This section is reasonable and necessary to ensure that program guidelines and rules are implemented.

Support Services. This section requires the county board to arrange support services and for payment of these and other support services directly to the vendor or reimbursement to the participant. The county board is required to maximize available resources from other programs including sliding fee child care, JTPA and work readiness service funds. This section is reasonable and necessary to ensure participants face no hardship costs in participating in CIP activities.

Length of participation. This section is reasonable and necessary to ensure the county board or its service provider abide by the terms and conditions of programs which fund CIP. These programs include Work Readiness, STRIDE and JTPA.

Program Plans. This section requires county boards electing to establish a CIP to submit a plan for approval to the commissioner of Jobs and Training by April 15, 1993, and annual updates thereafter. This section is necessary and reasonable to ensure county plans provide sufficient information to allow the commissioner to approve/disapprove counties CIP request.

Mandatory participation. This section limits who the county board may mandate to participate in the community investment program as required by Minn. Stat. 256D.051 subd. 3. This is necessary and reasonable to ensure that county boards do not require individuals other than work readiness participants to engage in CIP activities.

Referral Conditions. This section states the conditions under which county boards or their service providers may offer CIP employment to recipients who participate in the program.

Work Hours. This section states the standards which will establish the minimum and maximum number of hours CIP participants will be required to work.

Wages. This section provides the wage level to be paid to CIP participants. This definition is reasonable and necessary because it complies with the minimum wage law.

Travel Distance. This section states the required travel time between home, work site, and the child care facility. This section is reasonable and necessary to ensure that participants' hours of employment including travel time do not exceed 10 hours per day. This includes no more than two hours round trip between home, child care facility and the work site.

Support services. This section states that a participant will not be required to participant in a CIP placement if necessary support services are not available. This is reasonable and necessary to ensure that participants incur no out-of-pocket expenses as a result of engaging in CIP activities.