

SECOND REGULAR SESSION

# SENATE BILL NO. 823

90TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR CLAY.

Read 1st time January 13, 2000, and 1,000 copies ordered printed.

3534S.011

TERRY L. SPIELER, Secretary.

## AN ACT

To repeal section 208.071, RSMo 1994, relating to Missouri works program, and to enact in lieu thereof two new sections relating to the same subject.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 208.071, RSMo 1994, is repealed and two new sections enacted in lieu thereof, to be known as sections 208.071 and 208.326, to read as follows:

208.071. 1. The department shall make an individualized assessment of the skills, prior work experience, and employability of each recipient of assistance under the program who:

(1) Has attained eighteen years of age; or

(2) Has not completed high school or obtained a certificate of high school equivalency, and is not attending secondary school.

2. No participant may be assigned to any education, training or employment component of the state's welfare-to-work programs prior to an individualized assessment. The assessment shall be consistent with the criteria listed in section 208.325.

3. **On the basis of the assessment made under this section, the department shall, in consultation with the individual, develop a self-sufficiency pact consistent with the requirements of section 208.325.**

4. **Nonexempt individuals who face severe or multiple barriers to participation in work activities shall be placed in a separate state program in which they shall:**

(1) **Participate in activities that are appropriate to their circumstances; and**

(2) **Receive services, including case management, which are consistent with their capabilities and which are designed to remove their barriers to self-sufficiency.**

**These individuals shall receive temporary assistance benefits from state maintenance**

**EXPLANATION--Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

**of effort funds instead of federal temporary assistance for needy families funds. Upon completion of the program, the participant's temporary assistance benefits, if needed, shall be paid from federal temporary assistance for needy families funds.**

5. The division [may] **shall** promulgate rules and regulations that are reasonable and necessary to accomplish the limited duties specifically provided by this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.

**208.326. 1. The "Missouri Works Program" is hereby created to provide community service jobs in public and not-for-profit agencies to welfare recipients in order to enhance their employability and help them secure permanent, unsubsidized employment. In addition to providing community service jobs, the Missouri works program shall address recipient barriers to work through appropriate assignments to case management and other services.**

**2. The Missouri works program shall provide community service jobs for one thousand temporary assistance for needy families recipients per month. The one thousand positions shall be divided among at least three pilot sites throughout the state, and each pilot site shall create a minimum of one hundred positions. The department of social services shall select the pilot sites with representation given to both urban and rural areas throughout the state.**

**3. The Missouri works program, including the cost of wages for community service jobs, shall be funded with a combination of temporary assistance for needy families funds, maintenance of effort funds and, to the extent possible, with federal welfare-to-work and other grant funds.**

**4. The program shall target recipients who have been unable to secure unsubsidized employment and who are determined to be likely to reach welfare expiration time limits without securing unsubsidized employment. To the extent possible, the pilot sites shall provide openings to temporary assistance for needy families recipients who meet the federal welfare-to-work targeting requirements.**

**5. Under the Missouri works program, the department shall contract with one or more independent not-for-profit agencies or "contracting organizations" in each pilot locality through a request for proposal process. Contracting organizations shall be responsible for the following tasks:**

**(1) Assist each participant in developing an employment plan that specifies an employment goal and the type of community service job or additional services that are required to achieve the employment goal;**

**(2) Develop agreements with public and not-for-profit organizations that will act as work sites and provide supervision for participants placed in community service jobs;**

- (3) Place eligible participants in community service jobs;**
- (4) Provide case management for participants;**
- (5) Help participants secure access to additional services, including education or training, as required in the employment plan; and**
- (6) Provide services to help participants move from community service jobs to unsubsidized employment, including, but not limited to, job development, job readiness, job placement services, job retention, and career counseling for at least three months following the month an individual leaves a community service job.**

**6. In selecting pilot sites, the department of social services may give preference to localities that have offered to provide welfare-to-work funds, local funds or grant funding for the proposed Missouri works pilot. The department of social services shall provide assistance to localities seeking to secure grant funding for such pilot projects and shall attempt to secure grant funding for the Missouri works program.**

**7. Persons employed in community services jobs in the Missouri works program shall work twenty hours per week. Wages paid to program participants shall be at least equal to the federal minimum wage. The department of social services shall ensure that participants in the Missouri works program are educated about the availability of the earned income tax credit, pursuant to section 208.342, and participants shall be encouraged to take advantage of the earned income tax credit. An individual shall not be employed in a community service job for more than twelve months.**

**8. In addition to wages from a community service job, program participants shall receive a stipend of ninety dollars per month from the contracting agency to reimburse the participant for work-related expenses. Participants shall also be eligible to receive subsidized child care on the same basis as other temporary assistance for needy families recipients engaged in work-related activities. A participant will be eligible to receive a temporary assistance for needy families grant equal to the difference between the gross wages earned by the participant and the amount of grant funds for which the participant would otherwise be eligible, if the participant's wages are less than the grant amount.**

**9. Participants in the Missouri works program shall be considered employees of the contracting organization for the purposes of all state and federal employment laws, including, but not limited to, laws pertaining to collective bargaining, displacement, occupational safety and health, workplace discrimination, unemployment insurance, workers' compensation and minimum wage. Each participant employed by or assigned to employment through the Missouri works program shall receive paid sick leave, annual leave, holidays and all other leave time equivalent to, and on the same basis as, the leave time paid to regular employees who are employed for the same number of hours and have been employed for the same length of time as program**

**participants. For the purposes of this section, "employer" is defined as the organization that contracts with the state to provide subsidized employment through the Missouri works program.**

**10. Subject to available funding, the department shall allow contracting organizations to provide bonus payments to individuals who obtain unsubsidized employment after their participation in the Missouri works program and who remain employed in such unsubsidized employment for a designated period of time.**

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