

Vantage Aging Termination Policy

PURPOSE

The purpose of this policy is to establish clear, fair, and equitable standards for terminating participants in the Senior Community Service Employment Program (SCSEP), which is funded by the U.S. Department of Labor (DOL) and administered by VANTAGE Aging. This procedure applies exclusively to participants in these DOL-funded positions. VANTAGE Aging is committed to supporting participants throughout their enrollment while ensuring compliance with U.S. Department of Labor guidelines and organizational rules. This policy outlines the grounds for involuntary termination, notice requirements, and the progressive discipline procedure designed to afford participants due process and opportunities for corrective action prior to exit.

POLICY

- A. A Senior Community Service Employment Program (SCSEP) grantee may terminate a SCSEP participant as permitted by 20 C.F.R. 641.580.
- B. Each participant shall be provided with a written copy of the termination policy at the time of enrollment. The subrecipient must verbally review the termination policy with each participant.
- C. Participants may not be terminated based solely on the participant's age. There is no upper age limit for participation in SCSEP.
- D. All involuntary terminations will be consistent with the administrative guidelines issued by the U.S. Department of Labor.
- E. A termination notice will be provided to the SCSEP participant thirty (30) days before the termination becomes effective.
- F. Each terminated SCSEP participant will receive a copy of the grievance procedure with a thirty (30) day termination notice.
- G. The terminated participant should be referred to other potential sources of assistance, such as the One-Stop delivery system.
- H. All termination notifications will be sent via certified mail, unless the exit occurs because the participant has failed to maintain contact with VANTAGE Aging. In which case the notice will be sent via regular post.

REASONS FOR INVOLUNTARY TERMINATION:

- A. Fraud: If at any time it is determined that a participant was incorrectly declared eligible as a result of false information knowingly provided by the participant, the participant will be given a 30-day written notice explaining the reason(s) for the termination and will terminate the participant 30 days after it has provided the participant with the written notice. The participant will be immediately removed from the training site and placed on leave of absence without pay during the thirty (30) day notice period.
- B. Ineligibility at recertification: If it is determined through the recertification process that a participant is no longer eligible for SCSEP, the participant will immediately be given a thirty (30)

day written notice explaining the reason(s) for the termination and will be terminated thirty (30) days after provision of the written notice. The participant will be permitted to continue training at the training site during the thirty (30) day notice period prior to termination.

- C. Participant incorrectly determined eligible: If at any time it is determined that a participant was incorrectly declared eligible through no fault of the participant, the participant will immediately be given a thirty (30)-day written notice explaining the reason(s) for the termination and will be terminated thirty (30) days after provision of the written notice. The participant will be permitted to continue training at the training site during the thirty (30) day notice period prior to termination.
- D. Durational limit is reached, and no extensions are available: A participant will be terminated when the forty-eight (48) month individual durational limit has been reached. The participant will be given a written notice thirty (30) days before the forty-eight (48) month durational limit date explaining the reason(s) for termination and will be terminated thirty (30) days after provision of the written notice. The participant will be permitted to continue training at the training site during the thirty (30) day notice period prior to termination.
- E. Participant is found to be employed while enrolled in SCSEP: If at any time a participant is found to be employed while enrolled in SCSEP without notifying Vantage of the employment, the participant will immediately be given written notice explaining the reason(s) for termination and will be terminated thirty (30) days after provision of the written notice. The participant will be immediately removed from the training site and placed on leave of absence without pay during the thirty (30) day notice period.
- F. Refusal to accept job offers or referrals: A participant will be terminated for refusing to accept three (3) job offers or referrals for unsubsidized employment consistent with the participant's IEP without good reason or extenuating circumstances and/or sabotaging an interview. The participant will be given a thirty (30) day written notice explaining the reason(s) for the termination and will be terminated thirty (30) days after provision of the written notice. The participant will be permitted to continue training at the training site during the thirty (30) day notice period prior to termination.
- G. For cause: Participants may be terminated for willful misconduct, including intentional violations of reasonable program rules and directives, or for failure to comply with the terms of their Individual Employment Plan (IEP) without good reason. Examples of the kinds of behavior that warrant termination include, but are not limited to:
 - 1. Refusal to attend mandatory meetings such as quarterly meetings, IEP updates, and other scheduled meetings with agency staff, training site employees, or other training providers;
 - 2. Refusal to complete and properly document on the job search log the designated number of employer contacts every pay period as described in the participant's IEP;

3. Refusal to participate in the IEP process and/or failure to adhere to the action plan as outlined in the IEP without good reason;
4. Refusal to accept supportive services that will enhance the participant's community service assignment and employability consistent with the IEP without good reason;
5. Failure to cooperate in establishing eligibility during recertification;
6. Falsification of hours on a time sheet, the documentation on the job search log, or other official records;
7. Refusal to accept a different Work-Training Assignment without good reason;
8. The unlawful manufacture, distribution, dispensing, possession or use of controlled substances while on assignment at any training site assigned or being under the influence of alcohol and/or drugs, while performing the training site assignment or while carrying out objectives required by the IEP. Legally prescribed medications are excluded if they do not affect the participant's ability to perform his or her duties or the safety of the participant or others;
9. Violation of state laws affecting workforce safety such as smoking bans in public buildings or prohibition on carrying concealed weapons into designated public facilities;
10. Insubordination – intentional refusal to carry out the direct instruction of a training site employee or Vantage staff member provided there were no extenuating circumstances;
11. Failure to maintain confidentiality or to comply with the work-training site's policies;
12. Theft, abuse, damage, or willful disregard for work-training site property, equipment, or supplies; intentionally taking or withholding the property of another without permission;
13. Disregard of safety practices;
14. Absence of more than three (3) times during a thirty (30) day period without notifying the training site, or a pattern of unexcused absences or tardiness without good reason or extenuating circumstances;
15. Rude, obscene, or abusive behavior or language or abruptly walking off work-training assignment;
16. Unwillingness to perform the assigned duties without good cause or extenuating circumstances;
17. Conviction of a felony or any criminal drug statute for a violation occurring in the workplace while on or off duty, or while away from the workplace.

DISCIPLINARY /TERMINATION PROCESS

Participants eligible for termination for cause will be given the opportunity for corrective action through a three (3) step progressive discipline process prior to an involuntary termination, except in cases involving fraud, serious harm, or imminent threat to the health or safety of themselves, others, or property. This process shall consist of the following steps:

1. Documented Verbal Warning: The Regional Manager or the training site supervisor will discuss the problem with the participant and make specific suggestions about the kind of behavior or

performance that is expected. The discussion will either be documented in case notes or through a written verbal warning letter that will be sent to the participant and uploaded to their record in CRM.

2. **Written Warning:** The second time the participant displays behaviors or conduct for which termination for cause would be appropriate, the regional manager will meet with the participant to discuss the participant's conduct. The written warning will state the problem as well as the expected outcomes. The participant may include a written response on the written warning to be included in the record. The written warning shall be signed by both the regional manager and the participant to acknowledge the presentation and receipt of the document. The participant's refusal to sign does not change the fact that a written warning was given. The participant will receive a copy of the written warning, and the warning will be saved in the participant's file.
3. **30-day Termination Notice:** If additional problems continue, as outlined in the "for cause" section of our termination policy, the participant will receive a 30-day termination notice informing him or her of the reason(s) for the termination. The participant will also receive a copy of our grievance procedure, including information that he or she has the right to appeal the decision. The participant will be immediately removed from the training site and placed on a 30-day unpaid leave of absence during the 30-day notice period prior to termination.

TERMINATION/EXIT FROM WORK-TRAINING SITE

- A. A 2-week advance notice from participants is expected when exiting from their work-training site assignment position. Exiting from the position without advance agreement with the regional manager, or in accordance with the participant's IEP, may result in termination for cause from SCSEP.
- B. The participant must report problems at the work-training site immediately to the regional manager. The regional manager will investigate the report and, if merited, work to solve the problem. A transfer may be considered where necessary. The participant may be put on unpaid administrative break while a suitable work-training site is identified or developed that will meet the participant's IEP goals and plan
- C. A work-training site may refuse to allow the participant to continue the work-training assignment at the training site without notice. In this case, the regional manager will investigate the situation, request a written statement from the training site describing the basis for the decision, and will place the participant on an unpaid administrative leave until a suitable work-training site is identified or developed that will meet the participant's IEP goals and plan. If the participant's conduct is determined to be the basis, the participant may be terminated for cause.