

## Authorized Break in Participation Policy

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**Purpose** The purpose of this policy is to establish an Authorized Break in Participation Policy for the California Department of Aging (CDA) that is in compliance with U.S. Department of Labor (DOL), Employee and Training Administration regulations (20 CFR 641.570(d)).

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**Information about Policy** An Authorized Break in Participation temporarily suspends a Senior Community Service Employment Program (SCSEP) participant's training activities for a period of three to 60 consecutive days. There are two categories of an Authorized Break in Participation:

- Voluntary Leave
- Administrative Leave

Authorized Breaks in Participation:

- Are unpaid.
- Do not apply to the SCSEP participant's individual durational limit.
- Must be approved or declined in advance by the local SCSEP Project Coordinator.

All participants must be provided with a copy of this policy and sign a receipt of acceptance during their initial SCSEP Orientation.

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**Voluntary Leave Policy** Voluntary Leave may be granted for up to 60 days for the following reasons:

- Illness
- Injuries
- Estate Settlement
- Marriage
- Family Care
- Bereavement
- Hospitalization

If a participant is on Voluntary Leave due to illness, a signed doctor's statement of the participant's status and/or limitations must be provided upon the participant's return to their Community Service Assignment (CSA). In addition, the local SCSEP Project Coordinator may require a doctor's statement when a participant is absent for more than five consecutive days because of illness.

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### **Administrative Leave Policy**

Administrative Leave pertains to participants who have been placed on leave for the following reasons:

- Workers' Compensation
- Administrative review
- A Host Agency closure when there are no other Host Agency placements available at the time of closure.

### Workers' Compensation

Participants who are on a Workers' Compensation leave must be placed on an Administrative Authorized Break in Participation until they provide a medical release.

The medical release should describe the participant's current status and/or any work limitations concerning the participant. The local SCSEP Project Coordinator must ensure the host agency can reasonably accommodate any limitations contained in the medical release. If the host agency is not able to reasonably accommodate the restrictions, or there is no longer a placement for the participant, the participant may be placed in another CSA or terminated.

The participant's refusal to return to training after being released from Workers' Compensation Leave shall result in the participant's termination from the program.

### Administrative Review

A participant under Administrative Review can remain on an Authorized Break in Participation until the review has been resolved. After the final determination of the Administrative Review, the participant can be placed back into the CSA rotation or terminated.

### Host Agency Closure

If a participant's Host Agency permanently closes, and there is no suitable CSA nor will there be one within a reasonable period, the participant must be terminated. Participants cannot be placed into an Authorized Break in Participation and left in suspension indefinitely as room must be made for other applicants to take advantage of the SCSEP services.

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## Authorized Break in Participation Policy, *Continued*

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### Administrative Requirements

Local SCSEP Project Coordinators have the authority to approve or decline a documented request for an Authorized Break in Participation.

Participants on any type of Authorized Break in Participation are not permitted to participate in any trainings, workshops, and/or meetings.

Upon returning from an Authorized Break in Participation, a participant may be placed in a vacant CSA position that supports his/her Individual Employment Plan (IEP). If there are no vacant positions, the participant will be terminated and placed on the waiting list for a priority placement until an appropriate CSA becomes available.

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### SPARQ Reporting Requirements

SPARQ reporting requirements apply to both Voluntary and Administrative Leave.

Enter all Authorized Breaks in Participation into SPARQ under the Assignments/Exits section; include case notes in the comment box.

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### Yearly Recertification

If the yearly re-certification is due while a participant is on an Authorized Break in Participation, the re-certification must be completed immediately upon the participant's return to the program.

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### Extensions

Any Authorized Break in Participation lasting over 60 days may result in the participant losing his or her SCSEP placement.

The California Department of Aging (CDA) will consider an extension of an Authorized Break in Participation past 60 days with a maximum of 90 days. To request an extension the SCSEP Project must submit a Request for Extension letter to the SCSEP State Director. The request letter **must** include the following elements:

- Participant Name and Identification number
  - Original Break Start and End Date
  - Extension Request Start and End Date
  - Reason for Extension (no detailed medical information)
  - Signature of Participant
  - Signature of Host Agency Supervisor
  - Signature of local SCSEP Coordinator
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### **Termination**

All terminations must be in accordance with the CDA's Termination Policy PM 11-20 and Grievance Policy PM 11-06. Please refer to the SCSEP Data Collection Handbook – Revision 6 (4/29/10) regarding termination for Authorized Break in Participation.

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