

D. Documentation Requirements

An applicant for assistance under the RRP must provide proof of eligible status. Documentation of immigration status, e.g., refugee or asylee status, issued by the USCIS is required as a condition of eligibility except for victims of human trafficking. Adult victims of human trafficking are required to have a certification letter from ORR. Victims of human trafficking who are under 18 years of age must have an eligibility letter issued by ORR.

II. FUNDING

A. RSS

RSS must be used primarily for employability services designed to enable refugees to obtain jobs within one year of becoming enrolled in services in order to achieve economic self-sufficiency as soon as possible. RSS may continue to be provided after a refugee has entered a job to help the refugee retain employment or move to a better job.

RSS may not be used for long-term training programs such as vocational training that lasts for more than a year or educational programs that are not intended to lead to employment within a year.

Priority in Provision of Services - Counties must plan their social services program and allocate their RSS funds in such a manner that services are provided to refugees in the following order of priority:

1. All newly arriving refugees during their first year in the U.S. who apply for services.
2. Refugees who are receiving cash assistance.
3. Unemployed refugees who are not receiving cash assistance.
4. Employed refugees in need of services to retain employment or to attain economic independence.

When available, RSS allocations may contain set-aside funds designated by the ORR for a specific purpose or caseload, (i.e. elderly services, outreach, training, etc.).

Counties may not provide RSS services except for citizenship and naturalization preparation services and referral and interpreter services to otherwise eligible individuals who have been in the U.S. for more than 60 months. Counties are to calculate the time-eligibility of a refugee on the basis of calendar months. For example, in the case of refugees, the month of arrival in the U.S. counts as the first month of eligibility.

B. TA

TA provides assistance to counties which, because of factors such as an unusually large refugee population, including secondary migration, high refugee concentrations, and high use of public assistance by refugees, are qualified by ORR for supplementation of available resources for services to refugees. Qualified counties must provide any individual wishing to do so an opportunity to apply for TA services and determine the eligibility of each applicant.

TA funds are primarily to be used for employability services designed to enable refugees to obtain jobs with less than one year's participation in the TA program in order to achieve economic self-sufficiency as soon as possible. TA services may continue to be provided after a refugee has entered a job to help the refugee retain employment or move to a better job.

TA funds may not be used for long-term training programs such as vocational training that lasts for more than a year or educational programs that are not intended to lead to employment within a year.

Priority in Provision of Services – Counties must plan their TA program and allocate their TA funds in such a manner that services are provided to refugees in the following order of priority:

1. Refugees who are cash assistance recipients, particularly long-term recipients.
2. Unemployed refugees who are not receiving cash assistance.
3. Employed refugees in need of services to retain employment or to attain economic independence.

For TA funds, counties may not provide services except for referral and interpreter services to otherwise eligible individuals who have been in the U.S. for more than 60 months. Counties are to calculate the time-eligibility of a refugee on the basis of calendar months. For example, in the case of refugees, the month of arrival in the U.S. counts as the first month of eligibility.

C. Discretionary

Discretionary funding (including TA Discretionary funds) is periodically made available by ORR through a competitive award process for states and private agencies to implement special services or projects in communities with large concentrations of refugees. As funding opportunities become available, the

CDSS will post details on the CDSS website:

www.cdss.ca.gov/refugeeprogram

Discretionary funds are often targeted for special populations who have been in the U.S. over 60 months (as opposed to Formula TA and RSS funding which can only be used to serve refugees who have been in the U.S. 60 months or less, unless California receives a waiver from ORR for this

requirement). Projects may be focused on certain hard-to-serve refugee populations, such as refugee women and refugee youth.

The ORR awards discretionary grants on a competitive basis. Applications for continuation grants are often reviewed on a non-competitive basis and subsequent years of funding are awarded if the project has been successful and federal funds have been appropriated.

D. Criteria For Employability Services and Employment

The county must determine if employability services and employment are appropriate in accordance with the following criteria:

1. All assignments must be within the scope of the individual's employability plan. The plan may be modified to reflect changed services or employment conditions.
2. The services or employment must be related to the capability of the individual to perform the task on a regular basis. Any claim of adverse effect on physical or mental health must be based on adequate medical testimony from a physician or licensed or certified psychologist indicating that participation would impair the individual's physical or mental health.
3. The total daily commuting time to and from home to the service or employment site must not normally exceed two (2) hours, not including the transporting of a child to and from a child care facility, unless a longer commuting distance or time is generally accepted in the community, in which case the round trip commuting time must not exceed the generally accepted community standards.
4. When child care is required, the care must meet the standards normally required by CDSS in its work and training programs for California Work Opportunity and Responsibility to Kids (CalWORKs) recipients.

5. The service or work site to which the individual is assigned must not be in violation of applicable Federal, State, or local health and safety standards.
6. Assignments must not be made which are discriminatory in terms of age, sex, race, creed, color, or national origin.
7. Appropriate work may be temporary, permanent, full-time, part-time, or seasonal work if such work meets the other standards of this section.
8. The wage shall meet or exceed the Federal or State minimum wage law, whichever is applicable, or if such laws are not applicable, the wage shall not be substantially less favorable than the wage normally paid for similar work in that labor market.
9. The daily hours of work and the weekly hours of work shall not exceed those customary to the occupation.
10. No individual may be required to accept employment if:
 - a. The position offered is vacant due to a strike, lockout, or other bona fide labor dispute; or
 - b. The individual would be required to work for an employer contrary to the conditions of his or her existing membership in the union governing that occupation. However, employment not governed by the rules of a union in which he or she has membership may be deemed appropriate.
11. In addition to meeting above criteria, the quality of training must meet local employers' requirements so that the individual will be in a competitive position within the local labor market. The training must also be likely to lead to employment which will meet the appropriate work criteria.

E. Eligible Employability Services

Counties may provide the following employability services under both the RSS and the TA programs:

1. Employment services, including development of a family self-sufficiency plan and an individual employability plan, job orientation, clubs, workshops, development, search, placement and follow-up, and referral to job opportunities.
2. Employability assessment services, including aptitude and skills testing.

3. On-the job training, when such training is provided at the employment site and is expected to result in full-time, permanent, unsubsidized employment with the employer who is providing the training.
4. English language instruction, with an emphasis on English as it relates to obtaining and retaining a job.
5. Vocational training, including driver education and training when provided as part of an individual employability plan.
6. Skills recertification, when training meets the criteria that, if an individual is a professional in need of professional refresher training and other recertification services in order to qualify to practice his or her profession in the U.S., the training may consist of full-time attendance in a college or professional training program. This training may only be made available to individuals who are employed, and such training:
 - a. Is approved as part of the individual's employability plan.
 - b. Does not exceed one year's duration (including any time enrolled in such program in the U.S. prior to the refugee's application for assistance).
 - c. Is specifically intended to assist the individual in becoming relicensed in his or her profession, and if completed, can realistically be expected to result in such relicensing.
7. Child care services for children, when necessary for participation in an employability service or for the acceptance or retention of employment.
8. Transportation, when necessary for participation in an employability service or for the acceptance or retention of employment.
9. Translation and interpreter services, when necessary in connection with employment or participation in an employability service.
10. Case management services, provided that such services are directed toward a refugee's attainment of employment as soon as possible.
11. Assistance in obtaining Employment Authorization Documents.

F. Other Eligible Services

Other eligible services include:

1. Information and referral services.

2. Outreach services, including activities designed to familiarize refugees with available services, to explain the purpose of these services, and to facilitate access to these services.
3. Social adjustment services, including:
 - a. Emergency services:
 - Assessments and short-term counseling to persons or families in a perceived crisis.
 - Referrals to appropriate resources.
 - Arrangements for necessary services.
 - b. Health-related services:
 - Information.
 - Referral to appropriate resources.
 - Assistance in scheduling appointments and obtaining services.
 - Counseling to individuals or families to help them understand and identify their physical and mental health needs and maintain or improve their physical and mental health.
 - c. Home management services:
 - Formal or informal instruction to individuals or families in management of household budgets.
 - Home maintenance, nutrition, housing standards, tenants' rights, and other consumer education services.
 - d. Child care services for children, when necessary for participation in a service other than an employability service.
 - e. Transportation, when necessary for participation in a service other than an employability service.
4. Translation and interpreter services, when necessary for a purpose other than in connection with employment or participation in an employability service.
5. Case management services, when necessary for a purpose other than in connection with employment or participation in employability services.

6. Citizenship and naturalization preparation services including:
 - English language training and civics instruction to prepare refugees for citizenship.
 - Application assistance for legal permanent resident and citizenship status.
 - Assistance to disabled refugees in obtaining disability waivers from English and civics requirements for naturalization; and,
 - The provision of interpreter services for the citizenship interview.
7. For RSS funding only, any additional service aimed at strengthening and supporting the ability of a refugee individual, family or refugee community to achieve and maintain economic self-sufficiency, family stability, or community integration which has been demonstrated as effective and is not available from any other funding source, may be provided upon submission to and approval by the Director of ORR. If counties wish to provide these additional services, a written request must be submitted to CDSS via a letter 60 days before the service begins. CDSS will review and forward the letter to ORR. Once ORR approves the request, the county must amend the County Refugee Services Plan.

III. SERVICE REQUIREMENTS

A. Criteria for Services

The following guidelines shall be used in developing services provided under both the RSS and TA Programs:

1. English language instruction and vocational training must be provided to the fullest extent feasible outside normal working hours in order to avoid interference with employment.
2. In planning and coordinating employability and other services, a county must avoid duplication of services by taking into account those required services which a resettlement agency provides for refugees who it sponsors.
3. Services must be refugee-specific and designed especially to meet refugee needs, except for vocational or job skills training, on the job training, or English language training.