



MASSACHUSETTS
WORKFORCE INNOVATION AND OPPORTUNITY ACT
JOINT PARTNER COMMUNICATION

WIOA Joint Partner Communication 06.2019

Policy Information

To: Chief Elected Officials
MassHire Workforce Board Chairs
MassHire Workforce Board Directors
WIOA Title I Administrators
MassHire Career Center Directors
WIOA Title I Fiscal Officers
MDCS Operations Managers
Adult Education Providers
Massachusetts Rehabilitation Offices and Providers
Massachusetts Commission for the Blind Offices and Providers
Senior Community Service Employment Program (SCSEP) Providers
Dept. of Transitional Assistance Offices and providers of SNAP and TANF services

From: Jennifer James, Undersecretary,
Executive Office of Labor and Workforce Development
Alice Sweeney, Director
MassHire Department of Career Services
Richard Jeffers, Director
Department of Unemployment Assistance
Toni Wolf, Commissioner
Massachusetts Rehabilitation Commission
David D'Arcangelo, Commissioner
Massachusetts Commission for the Blind
Wyvonne Stevens-Carter, State Adult Education Director
Department of Elementary and Secondary Ed, Adult and Community Learning Services
Olga Yulikova, Senior Community Service Employment Manager
Executive Office of Elder Affairs
Jeffrey McCue, Commissioner
Department of Transitional Assistance

Date: October 9, 2019

Subject: Senior Community Service Employment Program (SCSEP) and Paid Family and Medical Leave (PFML) Law

Purpose: To provide guidance to MassHire Workforce Boards, MassHire Career Center Operators, Fiscal Agents, National/State SCSEP Grantees and sub grantees on the employment status of SCSEP participants relative to the PFML law.

Background: The PFML effective October 1, 2019 is applicable to covered individuals including employees, certain independent contractors, and self-employed individuals.

SCSEP is a federally funded U.S. Department of Labor program designed to provide 20 hours per week of training at a host agency and a stipend to eligible individuals who need community service work experience in order to become job-ready. Work experiences under the SCSEP program are considered work-training experiences and are not applicable to PFML.

Policy: According to M.G.L. c. 151A § 6(u), “[t]he term employment shall not include... [s]ervice performed as part of... (a) work-training program assisted or financed in whole or in part by any federal agency...” As such, SCSEP service is not considered “employment” under applicable law and participants in the program are excluded from the requirements of the PFML law.

Action

Required: Please share with SCSEP host agencies, MassHire staff, and partners as appropriate.

Effective: Immediately.

References: [Paid Family Medical Leave and Information for Massachusetts Employers](#)

Inquiries: Please forward all inquiries to PolicyQA@MassMail.State.MA.US; indicate Issuance number and description.