

Documentation Required for Youth Seeking Subminimum Wage Employment June 2017

Purpose: To inform staff of DVR's responsibilities to youth with disabilities known to be seeking subminimum wage employment and the necessary documentation process for youth ages 14 to 24 seeking subminimum wage employment. Documentation is held in the IRIS case file and also provided to the youth.

Rationale: This process applies to all youth known to be seeking subminimum wage employment with a 14 (c) employer.

Background: Section 511 of the Workforce Innovation and Opportunity Act (WIOA) addresses subminimum wage employment for youth and DVR's role in this process. DVR must develop a new process, or use an existing process, to document the completion of actions related to subminimum wage employment for youth (34 CFR 397.10). Youth with disabilities must satisfy certain requirements prior to starting work at subminimum wage and DVR must document these service requirements (34 CFR 397.20).

Youth with a disability must do the following prior to beginning work at subminimum wage:

1. Complete an application for DVR.
2. Engage in career counseling and information and referral services.
3. Obtain pre-employment transition services through DVR or transition services under IDEA through the schools.

If a youth with a disability is eligible for DVR, the youth must complete these three steps prior to working in subminimum wage employment:

1. An approved Individualized Plan for Employment (IPE)
2. Been working toward the employment goal listed in their IPE for a reasonable period of time with reasonable accommodations, appropriate supports, and services including supported employment services and customized employment services, without success.
3. DVR case has been closed.

A "reasonable period of time" is individualized for each consumer, accounting for the youth's disability and vocational goals and the anticipated length of time to complete services listed in the IPE.

Procedures: As soon as a youth with a disability seeking subminimum wage becomes known to DVR, the following steps and documentation begin.

Documentation upon Completion of Required DVR Activities: The information below is required as part of DVR required activity completion documentation, and must be provided to the youth within 45 days of an unsuccessful case closure.

1. Youth's name.
2. Eligibility status, including summary of reason for the determination.
3. Descriptions of the Pre-ETS services/activities completed.
4. Name of the provider of those services/activities completed.
5. Date of the service/activity completion.
6. Signature and date of the individual documenting the completion of required services/activities.
7. Signature and dates of the DVR representative and the school representative, if applicable.
8. Date and method of transmittal of the documentation to the youth.
9. Signature and date of the person transmitting the documentation.
10. DVR will scan and attach documentation to IRIS case file.

Documentation if Youth Refuses to Participate in DVR Required Activities: The information below is required as part of refusal to participate in DVR required activities documentation. If a youth refuses to participate with DVR, DVR must provide the youth with documentation of their refusal within 10 calendar days. DVR must maintain a copy of this record of refusal.

1. Youth's name.
2. Description of refusal and the reason for the refusal.
3. Signature and date of the youth, or their representative.
4. Signature and date of the DVR representative or school representative, if applicable.
5. Date and method of transmittal of the documentation to the youth.
6. Statement informing the youth and/or the youth's representatives that refusal to participate in DVR required activities means that the youth will not be eligible for subminimum wage employment with a 14(c) employer.
7. DVR will scan and attach documentation to IRIS case file.

Case Closure: DVR Staff are encouraged to consult with their team members and supervisors regarding the reasons for case closure of these cases. **NOTE:** It would **not** be appropriate to select "Too Severe to Benefit from DVR Services" in these instances.