



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LABOR AND ECONOMIC OPPORTUNITY  
LANSING

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**OFFICIAL  
Policy Issuance (PI): 20-13**

**Date:** June 25, 2020

**To:** Michigan Works! Agency (MWA) Directors

**From:** Joe Billig, Division Administrator **SIGNED**  
Targeted Services  
Workforce Development

**Subject:** Fiscal Year 2020 Partnership.Accountability.Training.Hope (PATH) Post  
COVID-19 Reengagement Guidance

**Programs  
Affected:** PATH Program

**Rescissions:** None

**References:** Reauthorization of the Temporary Assistance for Needy Families (TANF)  
Programs Final Rule 45, Code of Federal Regulation Parts 261, 263 and 265  
  
Personal Responsibility and Work Opportunity Reconciliation Act of 1996  
  
PATH Manual dated November 17, 2014, updated January 2020

**Background:** Due to the heightened risk of COVID-19 (Coronavirus) and our commitment to protecting the health and safety of our participants and service delivery staff, the Michigan Department of Labor and Economic Opportunity-Workforce Development (LEO-WD) authorized the temporary suspension of individual employment and training activities for the PATH program effective March 18, 2020. Both PATH and Application Eligibility Period (AEP) activities will be resumed effective July 1, 2020. PATH/AEP participants will be required to re-engage with activities in accordance with the Governor's directive to limit exposure and in accordance with the Center for Disease Control (CDC) requirements. There will be limited face-to-face contact and MWAs must conduct activities virtually or in accordance with social distancing requirements during this period. WD is aware the MWAs are reopening their offices in phases. This policy guidance is designed to mitigate risk of a COVID-19 resurgence and to protect vulnerable Michigan employees and citizens.

This policy guidance is temporary and will expire on September 30, 2020.

LEO is an equal opportunity employer/program.

Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.  
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**Policy:**

The novel coronavirus (COVID-19) has created an unprecedented situation and impacted how the MWAs can deliver services. Effective July 1, 2020, MWAs are required to begin re-engaging PATH/AEP participants who were temporarily suspended from PATH/AEP activities during this time. Additionally, all new applicants seeking assistance during the suspension of the PATH program were approved and coded as Temporary Exempt (TE) to temporarily relieve them of PATH activities that would have required in-person contact. Starting July 1, 2020, these TE coded recipients will begin to be referred for PATH orientation and program activities. These participants have been approved for cash assistance and will not need to complete the AEP. These new referrals will need to complete program orientation and other program activities through some means that ensures safe delivery by maintaining social distancing through use of telephone, technology, or scheduling. WD understands the difficulty the MWAs face in re-engaging PATH participants and will provide flexibility in meeting Work Participation Rate (WPR) requirements during this guidance period.

**COVID-19 Reengagement Flyer/Fact Sheet**

WD has developed a COVID-19 Reengagement fact sheet that the MWAs should utilize to reengage their PATH/AEP customers. The flyer/fact sheet was designed to notify PATH customers that the MWAs are here to assist and how to engage/reengage with PATH services as required by the Michigan Department of Health and Human Services (MDHHS). MWAs may customize the document as required and necessary such as adding staff contact information, agency logo, etc. The flyer/fact sheet is attached. Also attached is the PATH Reengagement form (400F) which is fillable and can be customized by the MWAs. These forms should only be utilized until September 30, 2020.

**Safety and Personal Protection Equipment (PPE)**

Per the United States Department of Labor's Occupational Health and Safety Administration (OSHA) <https://www.osha.gov/Publications/OSHA4045.pdf>:

Employers are obligated to provide their workers with Personal Protective Equipment (PPE) needed to keep them safe while performing their jobs. The types of PPE required during a COVID-19 outbreak will be based on the risk of being infected with SARS-CoV-2 while working and job tasks that may lead to exposure.

While correctly using PPE can help prevent some exposures, it should not take the place of other prevention strategies. Examples of PPE include gloves, goggles, face shields, face masks, and respiratory protection, when appropriate. During an outbreak of an infectious disease, such as COVID-19, recommendations for PPE specific to occupations or job tasks may change depending on geographic location, updated risk assessments for workers, and information on PPE effectiveness in preventing the spread of COVID-19.

Employers should check the [OSHA](#) and [CDC](#) websites regularly for updates about recommended PPE.

All types of PPE must be:

- Selected based upon the hazard to the worker.
- Properly fitted and periodically refitted, as applicable (e.g., respirators).
- Consistently and properly worn when required.
- Regularly inspected, maintained, and replaced, as necessary.
- Properly removed, cleaned, and stored or disposed of, as applicable, to avoid contamination of self, others, or the environment.

Even though the above PPE requirements are for employers, the MWAs are encouraged to conduct PATH activities in accordance with the above. PPE may be provided to participants utilizing PATH funding.

### **Virtual Reengagement**

To ensure public safety, MWAs should provide alternatives to in-person orientations. The requirement to show the AEP and PATH videos is waived during this period. In the interest of community safety, MWAs are to explore and develop alternate means to deliver program orientations and other program activities customarily provided at the service center. Options may include, but are not limited to, scheduling by appointment, conducting telephone interviews, virtual orientations, developing virtual or technology-based workshops, or video chat options. When technology is not an option, MWAs should make available small groups or one-on-one appointments as feasible. Additionally, the requirement that the MWAs assess the participants upon referral is being waived during this reengagement period. However, MWAs should assess individuals that will be participating in classroom training activities.

PATH funding may be utilized to provide internet services, and the purchase of tablets, laptops, chrome books, smart phones, etc. MWAs should ensure that the participants exhaust all free and low-cost resources before they provide these supportive services. Additionally, MWAs should ensure that the participant is a good candidate for such additional supportive services. A best practice would be to conduct participant surveys to determine need and feasibility. These costs should be captured under “Other Supportive Services” category and should be case noted in the One-Stop Management Information System (OSMIS).

Assessment test requirements will also be waived during this guidance period. Therefore, MWAs will not have to assess all new/deferred referrals between July 1, 2020 and September 30, 2020.

## **Good Cause**

While re-starting the PATH program, MWAs will find and deal with many levels of participant program engagement. There will be participants dealing with issues not encountered prior to the suspension of activities. Barriers may develop such as internet connectivity, lack of technology or knowledge of how to use technology, childcare issues, public transportation reliability, and medical issues that may impede total program engagement. Case management experience should aid in sorting through both real and imagined barriers. To this end, MWAs will be granted the flexibility to make good cause decisions before referring participants for non-compliance if the issues are related to COVID-19. Issues could include physical, such as daycare issues, transportation issues, or employment issues, and psychological, such as fear or being uncomfortable returning to work or Community Service worksite. MWAs should make every effort to engage the participant before non-compliance efforts are considered.

Clients that express fear of returning to employment or an unpaid work site, or community service site due to COVID-19 should be offered other options to fulfill their PATH responsibilities in a different manner. These clients must demonstrate good faith effort to be engaged in other forms of activities to, at the least, partially satisfy program requirements. Consideration for the availability of activity sites, social distancing limitations, and other barriers encountered on individual basis should be considered when granting good cause. Case managers are encouraged to differentiate between good faith efforts and unwillingness to engage in the program.

Below are examples of OSMIS codes that the MWAs may utilize to record those participants not comfortable/ready to reengage with PATH.

### **PATH Participants who are Unable to Fully Participate Due to Medical Reasons**

#### ***30 Days or Less***

PATH participants who are unable to participate for 30 days or less due to medical reasons are to be placed in the OSMIS, code 75: "Medical Inactive – 30 days or less." MWAs must give the participant a *Return to PATH Appointment Notice* ([WR-231](#)), which schedules the participant to return, or contact the MWA, at the end of their medically excused period. If the notice cannot be given to the participant in person, then the mode of delivery must be a standard method of communication between the participant and the MWA, such as by postal mail, email, or fax. If the participant fails to return or make contact with the MWA as instructed, this is an act of noncompliance. The MWA must follow the Noncompliance Process described in [Chapter 11: PATH Noncompliance](#).

### ***More than 30 Days***

If an MWA receives information from a PATH participant that they are unable to participate in PATH for more than 30 days due to medical reasons, **the MWA must contact** the local MDHHS for a deferral determination and place the participant into the OSMIS, code 80: "Pending Deferral Determination." **The participant is not to be placed in a triage nor terminated from the OSMIS while waiting for a deferral determination to be made.**

MWAs must document good cause decisions in the OSMIS case noting COVID-19 as the justification for the good cause.

### **Documentation and Electronic Signature**

MWAs should make an effort to obtain the required document signatures from the participant. If face-to-face contact is not feasible, case managers may accept attestation over the phone, indicating such in case notes and sending the customer a copy with notation that the case manager accepted the client's authorization on the phone. In addition, MWAs may also utilize electronic signatures. For TANF data validation, all documentation and authorization should be documented in the OSMIS and submitted as requested if participants come up for review. Revised PATH forms are attached.

### **WPR**

MWAs will be allowed flexibility for reaching WPR requirements for the period of July 1, 2020 thru September 30, 2020. WD/MDHHS are aware that PATH customers may not be able to reengage or to fully engage with PATH activities due to conditions beyond their control. However, MWAs can re-engage participants back into PATH activities without focusing on whether the participant will meet work participation requirements. These activities should be documented in the OSMIS.

**Action:** MWA directors will take appropriate action to comply with the requirements of this policy guidance.

**Inquiries:** Questions regarding this policy should be directed to your Reemployment Services State Coordinator by phone at 517-335-5858.

This policy is available for downloading from [WD's website](#).

The information contained in this policy will be made available in alternative formats (large type, audio tape, etc.) upon request to this office. Please contact Ms. Whitney Wasser by telephone at 517-241-1018 or by email at [WasserW@michigan.gov](mailto:WasserW@michigan.gov).

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**Expiration  
Date:**

September 30, 2020

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