

Information Memorandum Transmittal Vocational Rehabilitation



Howard Fulk, Policy and Training Manager

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Number: VR-IM 23-01

Issue date: 02/10/2023

Topic: Employment

Due date: 02/10/2023

Subject: Temporary, Seasonal, On-Call (Intermittent) Employment

Applies to (check all that apply):

☐	All DHS employees	☒	County Mental Health Directors
☐	Area Agencies on Aging	☐	Health Services
☐	Aging and People with Disabilities	☒	Office of Developmental Disabilities Services (ODDS)
☐	Self Sufficiency Programs		
☐	County DD program managers	☐	ODDS Children's Intensive in Home Services
☐	Support Service Brokerage Directors		
☐	ODDS Children's Residential Services	☐	Stabilization and Crisis Unit (SACU)
☐	Child Welfare Programs	☒	Vocational Rehabilitation

PURPOSE:

This Information Memorandum clarifies and provides guidance for Vocational Rehabilitation (VR) clients that wish to seek employment in temporary, seasonal, or on-call (intermittent) positions.

VR-IM 23-01 replaces VR-AR 18-06 Temporary, Seasonal, On-Call (Intermittent) Employment.

PROCEDURES:

Vocational Rehabilitation (VR) may consider temporary, seasonal or on-call (intermittent) employment successful placement when this outcome is a good fit for the VR client and when the location otherwise meets all other criteria for competitive integrated employment (CIE).

Temporary, seasonal or on-call (intermittent) successful closure requirements

Successful client case closures in temporary, seasonal, or on-call (intermittent) work environments may occur when:

- An Individualized Plan for Employment (IPE) documents that this is the informed choice of the clients and meet their unique strengths and needs, and
- A job meets the requirements for Competitive Integrated Employment (CIE), and
- The temporary or seasonal work is reasonably expected to continue into the next recurring work period, and
- If the employment is considered seasonal or temporary, this type of work fits at least one of these scenarios:
 - Common to the local labor market (e.g., work in the fishing industry or at vacation destinations; harvesting or processing local produce or both) – OR –
 - The strategy is used by a specific employer in the local labor market for hiring all their employees (e.g., specific jobs in a labor market are filled by temp agencies), and
- If the employment is considered on-call or intermittent work, the job is reasonably expected to occur at least once a week; and the type of work fits at least one of these scenarios:
 - It's usual for an on-call worker in the local labor market to be called in to work more hours over time, or,
 - It's common for an on-call worker to eventually be hired into the field they are entering (e.g., the temp agency hiring secretarial, janitorial, call-center, or other staff is the common source of new regular hires at local businesses).
- All other closure criteria have been met.

Clients who receive supported employment services

- The client must be employed (at least one day a week) and maintain employment for a period that equals at least 90 calendar days after stabilization and transfer to extended services.
- When the client becomes stable and has worked long enough for their case to be closed, returning to the previous temporary or seasonal job does not in itself, constitute a reason for the VR file to be reopened.
- The expectation by VR is that the client's extended services provider will provide any support needed by them to continue to maintain (and advance in) their employment.

Clients who do not receive supported employment services

- The client must be employed (at least one day a week) and maintained employment for a period that equals at least 90 calendar days.
- When the client is considered stable in their employment and maintains stable employment for the required number of days, returning to the previous temporary or seasonal job does not in itself, constitute a reason for the VR file to be reopened.

When the clients choose to work at more than one part-time job

When the client works more than one job cumulatively (meaning during the same time-period) to meet their vocational goal, each job must:

- Meet the requirements for competitive integrated employment (CIE), and
- Be the informed choice of the participant and meet their unique strengths and needs as documented in their IPE, and
- Be maintained by the client for the number of days required for closure.
- Be reasonably expected to lead to longer term, stable employment.

When the client works more than one job consecutively (one at a time over a period) in-order to meet their vocational goal, each job must:

- Meet the requirements for competitive integrated employment (CIE), and
- Be the informed choice of the participant and meet their unique strengths and needs as documented in their IPE, and

- Must be maintained by the client for the number of days required for closure, and
- Be reasonably expected to lead to longer term, more stable employment.

REFERENCES:

Workforce Innovation and Opportunity Act (WIOA)

WIOA defines competitive and integrated employment as being either full- or part-time. In the final regulations, discussion sections clearly state that any configuration of part-time (seasonal, temporary, on-call, intermittent) should be considered. This was done with the stipulation that all definitions apply. Those definitions include competitive integrated employment, closure criteria, employment outcome.

[WIOA Final Rules:](#)

[34 CFR § 361.5](#) **Applicable definitions:**

[\(9\) Competitive integrated employment](#)

[\(15\) Employment outcome](#)

[34 CFR § 363.54](#) **When will an individual be considered to have achieved an employment outcome in supported employment**

[34 CFR § 361.56](#) **Requirements for closing the record of services of an individual who has achieved an employment outcome**

DEFINITIONS

Full Time Hours means 35 or higher hours per week (determined by the business).

[\(US, Bureau of Labor Statistics Handbook of Methods, Glossary\)](#)

Intermittent or on-call employment means employees who are not permanent, but are called to work as needed, often on short notice, although they can be scheduled to work for several days or weeks in a row.

[\(US, Bureau of Labor Statistics Handbook of Methods, Glossary\)](#)

Part Time Hours means 1-34 hours per week (determined by the business).

[\(US, Bureau of Labor Statistics Handbook of Methods, Glossary\)](#)

Seasonal employment means annually recurring work periods of less than 12 months each year.

[\(Internal Revenue Service 6.340.1.2 \(11-03-2009\)\)](#)

Temporary Work means that the job(s) is expected to last a limited period. Workers who do not have an implicit or explicit contract for long-term employment are considered to be in temporary work. Examples of temporary workers include independent contractors, on-call workers, temporary help agency workers, workers provided by contract firms (also called freelancers) and “gig” workers who use a website or mobile app that helps match their services with customers.

(US, Bureau of Labor Statistics, [various sources](#))

TRAINING REQUIREMENT:

Ongoing reviews: Branch Managers will review with staff on as regular a basis as needed.

If you have any questions about this information, contact:

Contact(s): mailto:VR.Policy@odhsoha.oregon.gov	
Phone:	Fax:
Email: VR.Policy@odhsoha.oregon.gov	