the participant’s time, including class-
room training, may also receive train-
ing payments for hours of participation
in classroom training.

§ 627.310 Supportive services.

(a)(1) The SDA or SSG shall develop
a policy on supportive services in ac-
 accordance with the definition at section
4(24) of the Act. This policy shall be in-
cluded in the job training plan ap-
proved by the Governor (section 4(24)).
Supportive services may be provided to
participants through in-kind or cash
assistance, or by arrangement with an-
other human service agency when nec-
 essary to enable an individual who is
eligible for training under a JTPA as-
sisted program, but who cannot afford
to pay for such services, to participate
in such JTPA-assisted program.

(2) In the event that an SDA or SSG
adopts a policy of providing a fixed re-
imbursement for a particular sup-
portive service to all participants, it
shall, as part of its policy, state the ra-
tionale for its choice and the fixed
amounts it has adopted.

(b) Limited supportive services may
be provided to applicants in order to
permit them to complete the applica-
tion process.

(c) Necessary supportive services
shall be recorded in a participant’s ISS
under title II or should be recorded in
a participant’s individual readjustment
plan under title III. When supportive
services are provided in accordance
with paragraph (b) of this section, in-
formation on any supportive service
provided may be maintained for future
inclusion in an ISS.

(d) The SDA or SSG shall ensure, to
the extent possible, that similarly situ-
ated participants receive similar sup-
portive services.

(e) For title II participants, nec-
essary supportive services (with the ex-
ception of financial assistance) may be
provided for up to one year following
termination as post-termination or fol-
lowup services (sections 4(24),
204(b)(2)(J), and 204(c)(4)). For title III
participants, the provisions at section
314(c)(15) of the Act shall apply.

(f) An SDA or SSG may set fixed lev-
els of benefit for any supportive serv-
ice.

(g)(1) For purposes of title II, finan-
cial assistance is defined as a general
supportive service payment for the pur-
pose of retaining participants in train-
ing.

(2) Financial assistance payments
may be considered to be necessary for
participation in training for title II
participants, i.e., a separate, individual
determination of need is not necessary.

(b) Needs-related payments. The re-
quirements pertaining to needs-related
payments provided for under section
315(b) under title III of the Act, are de-
scribed in part 631 of this chapter.

§ 627.315 Benefits and working condi-
tions.

(a) In the development and conduct
of programs funded under the Act,
SDA’s and SSG’s shall ensure that par-
ticipants are not assigned to work for
employers which do not comply with
applicable labor laws, including wage
and hour, occupational health and safe-
ty, and child labor laws (29 CFR part
570).

(b) To the extent that a State work-
ers’ compensation law is applicable,
workers’ compensation benefits in ac-
 cordance with such law shall be avail-
able with respect to injuries suffered
by participants. Where a State’s work-
ers’ compensation law is not applica-
table, recipients and subrecipients shall
secure insurance coverage for injuries
suffered by such participants in all
JTPA work-related activities. Income
maintenance coverage (e.g., contribu-
tions for unemployment compensa-
tion), is not required for participants
(section 143(a)(3)).

(c) Where a participant is engaged in
activities not covered under the Occu-
pational Safety and Health Act of 1970,
as amended, the participant shall not
be required or permitted to work, be
trained, or receive services in buildings
or surroundings or under working con-
ditions which are unsanitary, haz-
ardous, or dangerous to the partici-
pant’s health or safety. A participant
employed or trained for inherently
dangerous occupations, e.g., fire or po-
lice jobs, shall be assigned to work in
accordance with reasonable safety
practices (section 143(a)(2)).