



# NEW MEXICO POLICIES & PROCEDURES

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## SECTION CONTENTS

### SENIOR EMPLOYMENT PROGRAM (SEP) ELIGIBILITY

THE DOCUMENT CONTAINED HEREIN IS SUBJECT TO CHANGE.

VERSION: 8.2025

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# NEW MEXICO EMPLOYMENT PROGRAM BUREAU—Eligibility—SEP

## POLICIES AND PROCEDURES

### 1.1 PURPOSE

A. The purpose of this policy is to establish the Aging and Long-Term Services Employment Bureau Procedures for position allocation and eligibility to the Senior Employment Program (SEP)

#### 1. POLICY

The department follows the following position allocation and eligibility requirements for SEP.

#### 2. PROCEDURE

The Department works in collaboration with the AAA and other aging network providers to allocate positions within planning and service areas, and eligibility requirements for SEP

A. Eligibility requirements are:

- An applicant shall be 55 years of age or older to be determined eligible; no applicant may be determined ineligible because of advanced age, and no upper age limitation may be used; and
  - An applicant's income shall meet the eligibility requirements specified in the Older Americans Act (42 U.S.C. section 3056p(a)(3) and (4)) as implemented at 20 C.F.R. Sections 641.100 to 641.930 (as amended) to be determined eligible; and
  - An applicant shall be a resident of New Mexico, unless a cross-border agreement with a neighboring state exists, to be determined eligible.
  - After completing an application, an applicant may need to disclose additional information or submit to additional screening to qualify for a specific placement at the discretion of the department and the host agency, including, but not limited to: background checks or proof of applicable licensure; (for example, work with young children or vulnerable adults may require a criminal background check, large vehicle operation may require a special driver's license, operation of heavy equipment or lifting heavy loads may require additional medical disclosure) failure to fully disclose information relevant to meeting the qualifications for a position may result in termination, change, or lack of placement.
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- An eligible applicant who has been accepted as a participant shall be offered a physical examination at the time of enrollment and annually thereafter. The participant may waive this benefit and shall do so in writing.
  - Senior community service employment program trainee participants are excluded from membership in the Public Employees Retirement Association.
  - Eligible participants shall be placed in on-the-job training positions that provide community service. Participants may not engage in political activities pursuant to Older Americans Act, 42 U.S.C. section 3056(b)(1)(P), and as implemented at 20 C.F.R. Section 641.836 (as amended).
  - Wages shall be at least the prevailing federal, state or local minimum wage, whichever is higher.
  - In compliance with the Fair Labor Standards Act of 1938, 29 U.S.C. Chapter 8 Section 201 et seq. (as amended), participants are not allowed to donate extra volunteer hours at work sites unless the volunteer work is substantially different than that required by their subsidized positions.

B. The department may transfer a participant from one host agency to another.

- C. The department shall determine whether an agency or organization is eligible to be designated a host agency, pursuant to Older Americans Act, 42 U.S.C. section 3056(b)(1)(D), and as implemented at 20 C.F.R Sections 641.140 and 641.844 (as amended). Before a position can be assigned to the host agency, a proper agreement shall be executed.
- D. The department shall develop and maintain policy and procedure manuals. Such manuals will designate participant benefits and other policies and procedures to enable the smooth operation of the program.
- E. Participants shall be reimbursed for mileage, per diem, and other expenses only in accordance with policies and procedures developed by the department.
- F. Waivers of age and income eligibility requirements may be granted by the department on a case-by-case basis.

## Revision History

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