

Division of Family Support
OPERATION MANUAL
Volume IIA

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Supplemental Nutrition Assistance Program (SNAP) Work Requirements
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MS 1050

FREQUENTLY USED TERMS

(1)

Several terms are frequently used in connection with SNAP work registration and ETP. These items are detailed here and are used without further explanation throughout this volume.

1. ABAWD Able-Bodied Adults Without Dependents
2. DCBS Department for Community Based Services
3. E&T Employment and Training Program
4. GED General Education Development
5. IPV Intentional Program Violation
6. KTAP Kentucky Transitional Assistance Program
7. KWP Kentucky Works Program
8. KYIMS Kentucky Information Management System
9. NAB Nutrition Assistance Branch
10. OTIS Online Tracking Information System
11. SSI Supplemental Security Income
12. SSA Social Security Administration
13. TAA Trade Adjustment Assistance
14. UIB Unemployment Insurance Benefits
15. VES Vocational Education Skills
16. WEP Work Experience Program
- [17. ERT Employment Readiness Training
18. IET Integrated Education Training]
19. WIOA Workforce Innovation and Opportunity Act

MS 1100

WORK REGISTRATION OVERVIEW

(1)

- A. Work registration is a technical eligibility factor for participation in the Supplemental Nutrition Assistance Program (SNAP). Every able-bodied household member age 16-59, must agree to work register unless otherwise exempt.
- B. Nonexempt members must agree to work register every 12 months at application, recertification, or member add.

Ineligibility of the member or correct discontinuance of the member's case for any reason does not void the member's work registration, as the member is considered work registered, along with all other household members that are required to work register, when the SNAP application is signed.

- C. **[Excluded household members are required to register for work unless otherwise exempt. This includes ineligible immigrants, members who are serving an IPV disqualification or individuals removed from the case for failure to provide a verified Social Security number.]**
- D. In selected counties, some work registrants are required to participate in work activities in order to be eligible for benefits.

MS 1550 WORK REGISTRATION PROCEDURES (1)

- A. [At initial application, reapplication, recertification, member add or case change, determine which household members are required to register for employment. A member is required to work register every 12 months. Active members must not be registered more than once in a 12-month period.

By signing the SNAP application, the household is agreeing that all members without an exemption will agree to work register.]

- B. If the household's benefits were incorrectly terminated and a reinstatement is completed through the case change or application process, DO NOT change the ORIGINAL work registration date. This includes members who were incorrectly discontinued and were reinstated per instructions from the Division of Family Support.

MS 1555 SNAP WORK REGISTRATION FOR KTAP APPLICANTS (1)

[KTAP recipients are required to register for work. Before a KTAP applicant can be approved for benefits, he/she must prove that they have registered by providing a copy of their FOCUS application. KTAP recipients are exempt from registering for work for SNAP as they have already met the work requirement.

However, if an individual who is applying for SNAP has a pending KTAP application, the following rules apply:

- A. If the mandatory work registrant has a KTAP application pending:
 - 1. Answer "Yes" to indicate that the member agrees to work register; and
 - 2. The work registration status will be Agrees/Pending.

Explain to the household that if the KTAP application is not approved and a member is not otherwise exempt, that the member will have to agree to register for work in order to be eligible for SNAP.]

- B. When the KTAP application is approved prior to disposal of the SNAP action, the worker who processed the KTAP application will change the work registration status from Agrees/Pending to Registered, and he/she will enter a work registration date. Once this is completed, the member is considered as meeting the work requirement for KTAP and therefore exempt from registering again in for SNAP.
- C. When the KTAP application is denied prior to the disposal of the SNAP action, the member will be required to agree to register for work.]
- D. When the SNAP application is disposed prior to the KTAP application, process a case change to update the SNAP member's information.

MS 1650 WORK REGISTRATION EXEMPTIONS (1)

Exempt the following household members from work registration. If the exemption is questionable require verification.

A. Persons age 17 or under unless:

1. The 16 or 17-year-old is the head of household and does not meet an exemption listed in Section I of this manual section below.

If the child's 16th birthday is on the first day of the new certification period, do not delay work registration. Work register the member during the last month of the current certification period with an effective date of the first month of the new certification period. If the child's 16th birthday is on ANY OTHER day of the month, wait until the next scheduled recertification to complete work registration.

B. Persons who are 60 years of age or older.

C. [Persons who are physically or mentally unable to work.]

1. [If a mental or physical disability is claimed and the disability is NOT evident, verification is required. Answer "YES" to the gatepost question which asks if anyone is incapacitated or unable to work. Request verification if not provided. Document the case record concerning the verification used to support the member's determination of disability. Appropriate verification consists of but is not limited to:]

- a. Receipt of temporary or permanent disability benefits including SSI or SSA; or
- b. A statement or form FS-704, Statement of Disability or Incapacity, from a physician, a licensed certified psychologist, a chiropractor who is licensed by the Kentucky State Board of Chiropractic Examiners, a social worker, or a certified, licensed health professional commenting on a disability within the realm of his expertise.

Disability must be re-verified at recertification. If an FS-704 is received that lists recovery date as "indefinite", the worker must enter the recovery date as the month that recertification is due. For example, if recertification due date is 5/18, recovery date should be entered as 5/31/2018. **DO NOT** enter 12/31/9999 as the expected recovery date when form FS-704 lists recovery date as indefinite.

2. [If a person claims to be physically or mentally unable to work and it is obvious to the worker, the worker may make a field determination. The worker may use worker discretion when determining an obvious disability. Disabilities do not have to be seen to be obvious.]

Example: A member has a broken leg.

Example: A member has a medical device that would inhibit his/her ability to work.

[Example: It is obvious to the worker that a member is unable to work due to a diminished mental capacity.]

When a field determination of disability is made, select "worker observation" as the verification source.

3. [A chronically homeless person may be considered physically or mentally unable to work if:
 - a. The person has been continuously homeless for a year or more; and
 - b. It is obvious to the worker that the person is unable to work.]
- D. All adult KTAP recipients. These members are required to participate in KWP unless otherwise exempt. However, members who apply for SNAP and KTAP simultaneously must agree to work register to meet the SNAP requirements. This exemption cannot be used to cure a disqualification imposed because the member failed to comply with KWP or UIB work requirements.
- E. A parent or other household member who is ACTUALLY RESPONSIBLE FOR THE CARE of:
 1. A dependent child UNDER six. If the child's sixth birthday falls within a certification period, the individual responsible for the care of the child is registered for work at the next scheduled recertification; or
 2. An incapacitated person. The case record must contain verification from a certified medical provider that the incapacitated individual requires care from the person seeking the exemption.

Item E. 1 or 2 applies even if the child or incapacitated person is NOT a household member in the SNAP case.

Example: John lives with his Aunt Susie and her 4 yr old daughter, Kelly. They request and are eligible for separate household status. John babysits Kelly while Aunt Suzie works full time. John is exempt work registration due to care of child under age 6.

[**NOTE:** When moving a child out of a SNAP Eligibility Determination Group (EDG), workers MUST ALSO END DATE that the member is providing care for a child. If the record is not end dated, the system will continue to show the member as being exempt from work registration as it considers the member as providing care for a child who is not a member in the SNAP EDG.]
- F. Persons in receipt of UIB or who have applied for but have not yet begun to receive UIB. If the member appeals a UIB denial, they remain exempt work registration during the appeal process.
- G. Persons in receipt of VA based on 100% disability.

- H. [A regular participant in a substance use disorder (SUD) treatment and rehabilitation program. Regular participation is both determined and verified by the center. This exemption also applies to regular participation in AA or NA.]
- I. Persons employed or self-employed, including in-kind income, who are working a minimum of 30 hours per week or have earnings at least equal to the Federal minimum wage multiplied by 30 hours. This includes migrant and seasonal farmworkers under contract or similar agreement with an employer or crew chief to begin employment within 30 days.
- J. [Persons enrolled at least half-time in any recognized school (including high school up until age 21), training program, or institution of higher education, provided that person meets the conditions of being an eligible student. This includes immigrants who are participating in training programs approved, funded or authorized by the Office of Refugee Resettlement. This does not include members enrolled in a GED, Adult Basic Education, Literacy Program, Vocational Education program, or institution of higher education through placement by ETP.]

A student remains exempt during normal periods of class attendance, vacation and recess unless the student graduates, is suspended or expelled, drops out, or does not intend to register for the next normal school term excluding summer school.

Persons who are not enrolled at least half-time or who experience a break in their enrollment status due to graduation, expulsion, suspension or who drop out or otherwise do not intend to return to school are NOT considered students for the purpose of qualifying for this exemption.

- K. Household members who are applying jointly for SSI and SNAP through the SSA office have requirements for work registration waived until:
 - 1. They are determined eligible for SSI and thereby become exempt from work registration; or
 - 2. They are determined ineligible for SSI and, where appropriate, a determination of their work registration status occurs at the next certification action.
- L. Work registration exemption at application/recertification and member add is determined by the system based on how applicable questions are answered. It is very important that each member's information is carefully reviewed at each case action that may affect work registration status.

MS 1700

LOSS OF EXEMPTION

(1)

When a work registration exemption no longer exists do the following:

- A. [Individuals who lose work registration exemption status due to any change in circumstances are required to agree to register for employment at the time the change is reported.]

- B. Recipients who lose work registration exemption may also be subject to additional work requirements if he/she is an ABAWD. Review each member's information screens when work registering the member to ensure ABAWD status is correctly determined based on system entries.

- C. When a change is reported that results in a loss of SNAP work registration exemption, the member must be work registered according to the following:
 1. [If the change in work registration status is reported in person or phone, by either the household member required to agree to register or by another member who is willing to agree to register the individual, explain that the member must only agree to work register and no further action is required.

 2. If a household reports a loss of work registration exemption and the member required to agree to register is unavailable and another member is unwilling to agree to register the individual:
 - a. Answer "declines" that the member does not agree to register.
 - b. The member will be disqualified and a notice will be generated to inform the member of the disqualification. If the member registers for work within the 10-day timely notice period, adverse action is avoided.]

MS 1705 LOSS OF EXEMPTION FOR 18-YEAR-OLDS (1)

[When a child in a SNAP case turns 18 years old during the certification period, the member must be work registered as part of the next scheduled recertification process, unless the member qualifies for another exemption.]

MS 1750

CHANGE IN EXEMPTION

(1)

- A. Work registered members who are required to comply with work requirements, are not subject to those requirements if the member becomes EXEMPT from work registration, unless K-TAP or UIB noncompliance is involved. Refer to [MS 4500](#).
- B. Members whose change in age exempts them from work registration requirements are exempted at the household's next recertification, unless another change is reported which is subject to reporting requirements.

MS 2000

ABAWD OVERVIEW

(1)

The following provides a general overview of the work requirements for ABAWDs.

- A. ABAWDs are able-bodied individuals between 18-49 years of age who do not have a person under age 18 as a member of their SNAP household. For this policy a dependent child is defined as a person under age 18 who is a member of the SNAP household. ABAWDs are exempt from these provisions when they reach age 50.
- B. ABAWDs may receive benefits for 3 months, consecutive or otherwise within a 36-month period, if not in compliance with work requirements. ABAWD provisions became effective 12/1/96.
- C. [If the member says yes to participate in the Employment and Training Program (ETP), upon disposition, the system will automatically schedule an appointment to complete the ETP assessment with an ETP Provider. The appointment is scheduled for 5-10 business days from disposition date. If this date falls on a weekend or holiday, the appointment is scheduled for the next business day. The demographic information for each individual is saved on the Self Service Portal regardless of whether the member chooses to participate in ETP or not, in case the member changes their mind and contacts the ETP Provider or an ETP Partner to participate later on. Workers must advise individuals if they have any questions regarding an ETP placement, assessment or work requirement, they must call their local ETP provider/partner.]

If the client states that they anticipate to incur expenses, the worker will issue the initial transportation payment of up to \$25. The payment will issue at disposition.

For expedited approvals with a two-month certification period, the client must begin meeting the 80 hour work requirement in the second month of the certification period. For example, application is approved for January and February. The client must meet the 80 hour work requirement in February.

- D. The system tracks the compliant and noncompliant months for participants who must meet these requirements. A compliant month is a month in which an ABAWD is either exempt as specified in [MS 2105](#) or by complying with the requirements as specified in [MS 2100](#). A noncompliant month is a month in which an ABAWD is not exempt and not meeting the requirements. This is considered a BA month. In addition, an ABAWD can receive bonus months after accumulating 3 noncompliant (BA) months as specified in [MS 2750](#). Pro-rated months DO NOT count as a BA month.

MS 2100 ABAWD WORK REQUIREMENTS (1)

A. ABAWDs must comply with specific eligibility criteria and provide verification if required, to maintain eligibility for SNAP benefits. To be eligible, the ABAWD must:

1. Be exempt from ABAWD work requirements due to residing in an ABAWD waiver county;
2. [Volunteer to participate in the Employment and Training (ETP) program. The ETP program provides volunteers the opportunity to find employment, training or education in order to increase participants' chances of finding employment. Required verification of participation is tracked and verified by an ETP Provider. For ETP information, refer to MS 3100;]
3. Be working 80 hours per month. The employment can be working for money (this includes self-employment), in-kind work or unpaid (volunteer) work, or any combination of these. This would also include when someone works for rent instead of paying. The hours of in-kind/unpaid income must be verified at each recertification for the prior months in between cert periods.

[For example: An individual comes in on May 1, 2019 for recertification. The worker must verify the hours of In-kind work for every month since the individual was last recertified.]

Individuals on strike or on temporary layoff are not considered employed. ABAWDs who are on sick leave from a job, whether paid or unpaid, are in compliance as long as they continue to be considered an employee of the business; or

4. Participate at least 20 hours per week in a work program funded by WIOA or TAA. Households are required to report within 10 days any change in work hours that brings them below the required 20 hours per week. Participation verification is required.

B. Nonexempt ABAWDs who fail to comply with the above requirements accumulate noncompliant months. An ABAWD can accumulate only 3 noncompliant months in a 36 month period before becoming ineligible for benefits.

C. ABAWDs are assigned compliant months if exempt from ABAWD provisions or in compliance with ABAWD requirements.

D. The following procedures apply to system questions related to determining ABAWD eligibility.

1. Verification of ABAWD eligibility questions is optional. If not verified, the case does not deny or discontinue solely for lack of this verification. At the end of the timely processing timeframe the case will process without this verification and any month for which ABAWD eligibility is not established is considered a noncompliant month.

2. Hours will be systematically converted in order to determine if the member is working 80 hours or more/month.
3. When self-employment, farm or earned income is end-dated, review the case for ABAWD bonus period eligibility.

[E. Ineligible immigrants are not required to cooperate with ABAWD activities.

F. In all counties, any member between ages 16-60 may volunteer to participate in the ETP program. Volunteers not subject to the time limit do not receive noncompliant months for failure to participate.]

MS 2105 ABAWD EXEMPTIONS (1)

This policy only applies to ABAWD determination and exemptions and DOES NOT apply to normal work registration requirements. See [MS 1650](#) for work registration exemptions.

- A. A SNAP recipient is not an ABAWD or is exempt from ABAWD requirements if the member is:
1. Exempt from work registration as specified in [MS 1650](#);
 2. Age 17 and under or age 50 and older. Changes in age which result in a change in ABAWD status are handled as outlined in [MS 1750](#);
 3. An adult household member living in a household with members under age 18 including the spouse of the member;
 4. Verified as pregnant;
 5. Receiving VA disability payments REGARDLESS of the degree of disability;
or
 6. Living in a waived county.
- B. [ABAWDs that do not meet any of the above exemption criteria, but have some characteristic that makes them "hard to serve", such as a criminal record that limits their acceptance at available providers in the area, on home incarceration, etc, can be exempted by changing their tracking code to FP-12% exemption. Questions about allowing a 12% exemption should be submitted to the SNAP inbox at CHFS.FoodBenefitsPolicy@ky.gov.]

Ensure that ABAWD exemption policy is applied correctly by reviewing applicable questions on the system for the appropriate response and the EDG. Do this prior to disposing all case actions.

MS 2250 COMPONENTS (1)

[ABAWD individuals may only participate in the following available components.

- A. Workfare: The goal of this component is to assist participant’s transition from unpaid to paid employment. In addition, it provides on the job experience for participants. Participation is required on a year-round basis to meet ABAWD provisions. Placements are made with public and private non-profit agencies. Form FSET-241, Workfare Training Site Agreement, is completed when a participant is placed at a workfare site.
1. Workfare participants do not receive wages. The value of their SNAP allotment is worked off in lieu of wages.
 3. Each ABAWD individual is responsible for earning his/her own share of the SNAP allotment.
 4. The minimum monthly number of hours that each Workfare participant is required to volunteer shall be determined by:
 - a. Finding the number of hours required for the household based on the allotment chart below; and
 - b. Dividing the household’s hour requirement by the number of ABAWD individuals subject to the work requirement.

PRO-RATA SHARE OF ALLOTMENT	NUMBER OF HOURS REQUIRED TO WORK PER MONTH
\$0 through 49	5 hours;
\$50 through 99	10 hours;
\$100 through 149	15 hours;
\$150 through 199	25 hours;
\$200 through 249	30 hours;
\$250 through 299	35 hours;
\$300 through 349	40 hours;

\$350 through 399	50 hours;
\$400 through 449	55 hours;
\$450 through 499	65 hours;
\$500 through 549	70 hours;

\$550	through	599	75 hours;
\$600	through	649	85 hours;
\$650	through	699	90 hours;
\$700	through	749	100 hours;
\$750	through	799	105 hours; and
\$800		and up	110 hours

- c. ABAWD individuals who are subject to time limits will have their workfare goal hours displayed on the EDG Summary screen. The hours will also populate on their activity report.
5. The Workfare component lasts for 12 months; unless the ABAWD individual enters another component, becomes otherwise exempt from ABAWD requirements or meets ABAWD requirements in another way. At the end of the 12th month, form FSET-241 should be reviewed with the Workfare site agency to determine if the agency wants to continue to provide a placement for the participant. If the placement will continue, a new FSET-241 must be completed.
 6. The Department for Community Based Services (DCBS) carries accident insurance on Workfare participants. Refer to Volume IIIA, [MS 4300](#).
 7. DCBS does not pay for a background check on Workfare participants.
- B. Vocational Education Skills (VES: This component is offered to build skills that lead to full-time employment. The nature of the training course determines the length of participation. VES is a referral for the Workforce Innovation and Opportunity Act (WIOA) related or vocational training courses for ABAWD individuals.
1. Participation in a vocational training must be a minimum of 20 hours per week. If the ABAWD individual does not complete 20 hours per week the individual is not in compliance. However, if the ABAWD individual is assigned a course for less than 20 hours, the ABAWD individual can participate in another component to make up the difference. The VES component can last from 9 to 12 months.
 2. ABAWD individuals who select the VES component must participate in another component until they actually begin classes. Once VES is completed, the ABAWD individual must again participate in another component, unless otherwise exempt or meeting ABAWD requirements.
 3. If a WIOA funded training course is not available, the career coach will make a direct referral to the vocational training in order for the participant to apply for financial aid. Contact should be made with the local vocational training program to determine the deadline for financial aid applications.】

4. VES placement procedures are handled by a career coach.

C. Work Experience: This component is subsidy employment with private for profit agencies. Participants must complete 20 hours per week or 80 hours per month.

D. Job Skills Training: Participants may be enrolled in activities designed to help the participants gain occupational skills including work keys, self-guided computer assisted learning programs, short courses and post-secondary vocational training as long as the client is progressing.

E. Job Search: Participants determined to be work ready or prefer job search to other components will be referred to this component. The job search component requires the participant to make a minimum of 12 of contacts with employers prior to being placed in Workfare. This is necessary in order for the month to be considered a full month's participation. Job Search may also be used in compilation another activity if necessary to assist a client in regaining compliance. In an attempt to find work, participants will contact potential employers by phone, e-mail, US Postal Service, or in person. Participants must record this information and provide documentation of each contact.

F. Job Search Training: Job search training will assist participants in directed job search, resume building, and job readiness.

G. Job Retention Services: Provided for up to 90 days to participants in SNAP E&T that have entered full- or part-time employment. These services can continue even if SNAP benefits have been discontinued due to excess income.

MS 2300 ABAWD TRACKING (1)

All questions relating to ABAWD policy must be answered accurately and entered timely to monitor work requirement compliance. Statistics are accumulated based on system entries.

A. [ABAWD compliance is internally tracked based on responses to the member's information questions. Compliant and noncompliant months are tracked based on the data entered for each member. The member will not appear on tracking for any month in which the member is ineligible due to not meeting ABAWD work requirements as the member will not be active.]

B. ABAWD tracking codes are system applied. They are as follows:

1. AD Individual is age 60 or older;
2. AG Exempt for Individual less than 16 years old;
3. AH Exempt for 16 or 17 year old that is not head of household;
4. AO Individual needs to work register during next recertification;
5. AS Exempt for 16 or 17 year old that attends school or employment training program at least half time;
6. BA Noncompliant ABAWD Month;
7. BM Bonus Month;
8. CC Cares for a dependent child under 18 years old;
9. CI Cares for an incapacitated individual in home;
10. DA Participant in drug addiction or alcoholic treatment and rehabilitation program;
11. DI Disabled individual;
12. ER Exempt from Work Registration;
13. ES- 2nd Month of 2 month expedited;
14. JRS Job Retention Services;
15. KT Receives KTAP;
16. OT Other;
17. PC Providing care for a child under age 6;
18. PG Pregnant;
19. PM Prorated Month;
20. SA SNAP application received from SSA;
21. SI Receiving SSI/RSDA benefits;
22. SS Student Status;
23. UD Appealing UIB;
24. UI Applied for/receiving UIB;
25. VES Vocational Education;
26. WC Living in a Waiver County exempt from ABAWD requirements;
27. WE Work Experience/ Works 80 hours per month; and
28. WF Workfare

[12%, FP, is not system applied. If it is necessary to use FP for hard to place individuals, the tracking code should be changed to FP.]

C. An ABAWD tracking code is assigned for every SNAP recipient age 18- 49, regardless of the county of residence, each time the case is recalculated. These codes are collected when that month's benefits are issued. It may be necessary to change the tracking code because of information received at a later date.

When a recipient reports or you otherwise become aware of an ongoing change in ABAWD eligibility:

1. Enter the appropriate information for the member on the system. This ensures that the correct tracking code is assigned for future months.
 2. Determine when the ABAWD change took place.
 - a. Review the ABAWD tracking code already system-assigned for that time period.
 - b. The Field Services Supervisor or case manager manually corrects the tracking code as needed.
- D. After each issuance, a tracking code is accumulated for that benefit month. Non-complaint months can be viewed through "Individual Summary"

To change or add a non-complaint month, select "Manage Work Participation Months" and add the month.

MS 2350 CHANGES IN ABAWD STATUS (1)

A. Review all reported household changes for possible impact on ABAWD status. Changes which can alter ABAWD status are:

1. Beginning or ending pregnancy;
2. Gained or lost employment;
3. Beginning or ending participation or reducing the number of hours of participation in a component;
4. Change in work registration exemption status;
5. Change in age, older than 49;
6. Change in member under age 18 moving in or out of the household;
7. Move to an exempt or nonexempt county;
8. Temporary or permanent disability begins or ends; and
9. Reduction in the number of hours worked to less than 20 weekly.

Changes in ABAWD status must be acted on promptly once they become known to the Agency.

B. Process changes which affect ABAWD eligibility as follows:

1. At recertification, review ABAWD requirements with the recipient. Identify any changes in ABAWD status, which have occurred since the last interview;
2. Enter known and reported changes in the SNAP case and update the appropriate questions for the member on the system. This ensures that the system assigns the correct tracking code for future months; and
3. Determine the date of the change.
 - a. [Review the ABAWD's Work Participation Month Tracker screen to ensure system-assigned tracking codes are correct for the time period in question.
 - b. Change the tracking code for noncompliant or compliant months, as needed. Only the Field Services Supervisor or E&T worker can manually correct the tracking code.
 - c. Document the case record for review purposes.

C. ABAWD status codes MUST be corrected for the month the change occurred. Status changes can be made anytime for any month during the 36-month tracking period. Go to the Individual Summary page for the member and click on "Work Participation Month Tracker" to make needed corrections.]

Example: ABAWD reports at March recertification interview that a 13-year-old child has moved into the household in February. February becomes a compliant month and the member is exempt from ABAWD work requirements for as long as this situation exists, or until the child turns 18. Access the member's ABAWD months off of the Individual Summary page and correct the member's tracking code for February.

If an ABAWD reports an exemption or that they have met requirements but the report is made untimely, do not terminate an already established claim. For example:

EXAMPLE #1: Jack did not return his SNET-145 to verify program participation in January for the month of December. A claim is established for the transportation payment that was issued. Jack comes in to the office on February 15th and returns his SNET-145 that verified he completed his required hours. DO NOT terminate the already established claim as he did not verify his participation timely.

EXAMPLE #2: Cathy received her 3rd non-compliant month in December and a claim was established for January. Cathy came in to the office on February 1st to reapply and verifies that she began working on November 2nd and is working enough hours to meet her ABAWD requirement. DO NOT terminate the already established claim as this report was made untimely.

- D. Change in the tracking code which changes a month from a compliant month to a noncompliant month may result in member ineligibility.

If the tracking code is the only change and the change does not affect ongoing eligibility, the case does not pend for adverse action. However, the case does pend for adverse action if an ABAWD becomes ineligible and there are less than 10 days left in the month.

EXAMPLE: At application in 9/16, a member is credited with being employed 20 hours per week. In 2/17 at the recertification interview, it is discovered that the member was fired in 12/16. He did not work at least 80 hours in 12/16 and did not otherwise meet ABAWD requirements. When the tracking codes for 12/16, 1/17 and 2/17 are corrected to reflect noncompliance, the member becomes ineligible for SNAP effective 3/17, unless otherwise exempt.

MS 2355

RETURNING ABAWD

(1)

[Returning ABAWDs are processed as follows:

A. This involves ABAWDs who:

1. Reapply or are added to a SNAP case;
2. Already have 2 noncompliant (BA) months; and
3. The application/member add month is the third BA.

B. If you have this case situation, the member will be determined an eligible ABAWD for the application/member add month and removed effective the next administratively feasible month.]

MS 2450 OUT OF STATE ABAWD (1)

Do the following for household members subject to ABAWD requirements if they received SNAP in another state:

- A. Contact the other state(s) concerning the member's ABAWD status. Any month in the last 36 months for which the individual received SNAP must be determined as a compliant, noncompliant or bonus month as follows:
 1. Send form PAFS-28, Out-of-State Inquiry, or contact the agency by phone;
 2. Determine if the applicant received SNAP for any month in the last 36 months, and was not exempt from ABAWD requirements;
 3. Accept the other state's documentation. It is the responsibility of the other state to verify the member's ABAWD status; and
 4. Document the case record thoroughly.
- B. **[Update the ABAWD's months on the system to reflect the information provided by the out-of-state agency. Go to the Individual Summary page for the member and click on "Work Participation Month Tracker" to make updates.]**
- C. If the other state refuses to supply this information, contact NAB and provide the address and phone number of the out-of-state agency.
- D. Do not hold the application pending past the 30 day timeframe to verify noncompliant months. Assume compliance and correct the member's tracking report when verification is received from the out-of-state agency.

*MS 2455

JOB RETENTION SERVICES

(1)

Individuals who received employment and/or training services through the E&T Program who have secured employment and are no longer participating in an E&T component are eligible for job retention services. These services include transportation payments and case management.

1. Job retention services are provided for up to 90 days, even if the individual is no longer receiving SNAP benefits.
2. These individuals are tracked as E&T participants even if they are not receiving SNAP benefits. Non-ABAWDs who volunteer are not tracked.
3. Non-ABAWDs who volunteer but stop participating are exited from the E&T Program after two months of non-participation and are no longer eligible for job retention services.

MS 2500 PROCEDURES FOR NON-EXEMPT ABAWD (1)

The following are the procedures for when an individual who is a non-exempt ABAWD applies for SNAP.

- A. The individual must state whether they wish to volunteer to participate in ETP activities **at the time of application**.
 1. Answer YES or NO to the volunteer question for each appropriate individual.
 2. Explain form FSET-101, SNAP Employment and Training Fact Sheet. The worker should also explain that the system generates a copy of this form and they will receive it via mail.
 3. [Explain the ABAWD requirements, including that if the individual agrees to participate, they will receive an appointment for an assessment with their local ETP Provider when the case is approved.]
 4. Explain that individuals are eligible for a transportation payment up to \$25 based on anticipated expenses. Client statement is accepted as verification of the amount. The transportation payment is issued in advance.
 5. Advise the individual that failure to comply with the ABAWD requirements will result in ineligibility.

- B. If the individual begins working 80 hours or more per month and the worker verifies the number of hours, the member will be exempt from ABAWD provisions. When doing this change, the ABAWD questions must be updated to show the exemption.

- C. Complete member adds following steps in A, 1-5 above.

MS 2510 TRAINING SITE AGREEMENT PROCEDURES (1)

[Form FSET-241, Workfare Training Site Agreement, is an agreement between our agency and an agency agreeing to provide a training site for ABAWDS. The agreement lists the conditions and requirements that the training site agency must agree to, including maintaining time and attendance records daily on each Workfare participant. It is the career coach's responsibility to thoroughly discuss these conditions and requirements with the representative of the training site to ensure the site is meeting requirements. An FSET-241 is completed by a career coach to place a participant in a Workfare site.

- A. Complete a FSET-241 when:
 - 1. The placement is initially negotiated.
 - 2. The hours of required participation, end date of agreement, or training activities change.
 - 3. The agreement ends.

- B. Each FSET-241 must contain:
 - 1. The name and address of the training site.
 - 2. The length of the agreement and the number of required hours of participation.
 - 3. The participant's name, SSN, address and phone number.
 - 4. Training site agency name and address.
 - 5. Normal functions of training site agency.
 - 6. Name of participant's immediate supervisor.
 - 7. Agency hours.
 - 8. Beginning date of participation.
 - 9. Participant's activities.
 - 10. Signature of training site agency representative, participant and DCBS representative and date of agreement.
 - 11. If a Workfare contract is discontinued: the date of the discontinuance of the contract, the date the contract was signed, and the reason for discontinuance.

- C. Scan the original form into the electronic case file (ECF) and then give the original to the training site agency. Give a copy to the client.

- D. A FSET-241 MUST be in the ECF for every participant placed in Workfare.]

MS 2550 GOOD CAUSE DETERMINATION (1)

When a member fails to comply with a work related requirement, determine if the member has good cause.

Good cause exists when circumstances beyond the member's control prevent compliance. Good cause can only last 30 days. If good cause is expected to last less than 30 days, this short-term status must be re-evaluated at the end of 30 days. If after 30 days the member states circumstances still exist that prevent him/her from complying, review the member's work registration status for a possible exemption.

Accept the member's statement for verification unless questionable. Good cause circumstances include but are not limited to the following:

1. Illness or incapacity of the member;
2. Illness of another household member, requiring the presence of the member;
3. A household emergency;
4. Unavailability of transportation, with no other readily accessible alternative means of transportation;
5. Lack of adequate child care for children ages 6-12;
6. Inclement weather which prevents the participant from traveling; or
7. Temporary incarceration or court appearance.

When an ABAWD has good cause for failure to fulfill the required number of hours in a given month, that month is NOT considered a noncompliant (BA) month.

[If a member wishes to claim good cause, he/she will make this request on their participation activity report. After the request is entered by the ETP Provider, a task will generate to an E&T worker. If the E&T worker determines that good cause does exist, the decision is entered on the individual summary screen by selecting the good cause button. This information will then pass back to the ETP Provider.]

MS 2700

ABAWD NONCOMPLIANCE

(1)

- A. Noncompliant (BA) months accumulate when the member is NOT meeting ABAWD work requirements. Pro-rated months are not counted as a noncompliant month. A month in which an ABAWD is ineligible for not meeting the ETP work requirement is not counted as a noncompliant month as the member is not active.
1. ABAWDs who accumulate 3 BA months within a 36-month period are ineligible for future benefits unless the member complies or becomes exempt from ABAWD requirements. BA months do not have to be consecutive.
 2. The system tracks compliant and noncompliant months for all ABAWDs who are issued benefits. Manual tracking of these months is not required.
 3. At each issuance the system determines the number of BA months an ABAWD has at that particular issuance. The system recalculates cases on the first work day of the issuance month. ABAWDS who are identified as having accumulated 3 BA months are generated a notice of ineligibility.
- B. ABAWDs accumulating 3 BA months are:
1. Ineligible household members;
 2. Removed from the case effective the following month or discontinued if there are no remaining eligible household members;
 3. [Included in income and resource consideration of the remaining household member's eligibility; income of ineligible ABAWDS is to be pro-rated; deductions are to be pro-rated IF the ineligible alien is billed or responsible for paying the expense; and]
 4. Mailed a notice of ineligibility.

MS 2750 ABAWD BONUS MONTHS (1)

[ABAWD BONUS months are 3 additional months of eligibility granted to ABAWD individuals with 3 noncompliant months, who regained eligibility by working 80 hours in 30 days (paid or unpaid), and reported they are no longer fulfilling the ABAWD work requirement. The client does not need to request these BONUS months as the months are issued immediately after the ABAWD individual first reports he/she is no longer meeting the ABAWD work requirement.

- A. BONUS months are ALWAYS consecutive and begin the date the change is reported to the Agency.
- B. ABAWD requirements are not applied to the member during BONUS months. BONUS months are counted as compliant months. However, all other SNAP eligibility criteria apply.
- C. Once BONUS months have expired, the member must again meet ABAWD requirements to maintain eligibility, unless otherwise exempt.
- D. BONUS months are given only once in any 36-month period.

EXAMPLE: An ABAWD is approved for SNAP from 3/17 through 2/18. The ABAWD does not complete any work activity and accumulates 3 noncompliant months. Benefits are terminated effective 6/17. The individual worked 80 hours in 7/17, reapplied and was approved for benefits ongoing. On 9/10/17, he reports he was laid off. He is eligible for 3 consecutive BONUS months (10/17, 11/17, and 12/17- 9/17 is a prorated month thus a bonus month does not apply) of SNAP with or without meeting ABAWD requirements. Effective 1/1/18 the member must again meet ABAWD requirements or be ineligible for SNAP.

- E. If a client is due to receive bonus months at the same time a disqualification of any type is being imposed, the client will lose any months that a disqualification applies based on the disqualification periods.

EXAMPLE: Client is disqualified for 2 months, he/she could receive benefits for their third month. If the disqualification is for 4 months, they would be ineligible to receive any of the three additional months. An individual cannot receive the three consecutive additional months of benefits more than once in a 36-month period. After the disqualification is served, the client could reapply for SNAP and if otherwise eligible and following the work program rules could receive benefits.

- F. Employment & Training (E&T) designated workers enter BONUS months into worker portal.]

*MS 3050 Employment and Training Program OVERVIEW (1)

[Employment & Training (ETP) Program is an opportunity for SNAP recipients aged 16 to 59 to volunteer to participate in allowable ETP activities. This program is offered to SNAP recipients statewide to provide opportunities for education and training activities to increase participants' chances of finding employment and self-sufficiency. Participating in ETP can also be used as an option for an ABAWD to meet their work requirement.

After the SNAP recipient volunteers to participate and the case is disposed, an appointment is scheduled with the local ETP provider who completes the ETP Assessment. Once the assessment is complete, the participant is referred/placed into an approved component or referred to an approved ETP partner for services. Please refer to MS 3100 for the approved components.]

*MS 3100 Employment & Training Program Components (1)

Employment & Training Program (ETP) approved components help in reaching employment goals and are described in detail below.

- A. **Employment Readiness Training:** Intensive programs that include skill assessment and educational remediation services in order to prepare individuals for the workforce and employment.
- B. **Basic Education:** Based on the intake assessment and individual goals, clients may be referred to basic education activities that include adult basic and/or foundational skills instruction necessary for the attainment of a secondary school diploma or equivalent in order to transition to post-secondary education and training, and obtain employment.
- C. **Integrated Education and Training (IET):** IET provides adult education and literacy activities in conjunction with training for a specific occupation.
- D. **Vocational Education Skills (VES):** This component builds skills that lead to full-time employment. The nature of the training course determines the length of participation. VES is a referral for the Workforce Innovation and Opportunity Act (WIOA) related or vocational training courses for ABAWDs. Please see the following considerations when using VES for ETP purposes:
 - 1. In order to qualify, Students attending Kentucky Community and Technical College System (KCTCS) schools must be enrolled in a program that cannot be transferred to a 4-year degree program.
 - 2. Participation in a vocational school must be a minimum of 20 hours per week. If the ABAWD does not complete 20 hours per week they are not in compliance. However, if the ABAWD is assigned a course for less than 20 hours, the ABAWD can participate in another component to make up the difference. The VES component can last from 9 to 12 months.
 - 3. ABAWDs who select the VES component must participate in another component until they actually begin classes. Once VES is completed, the ABAWD must again participate in another component, unless otherwise exempt or meeting ABAWD requirements.
 - 4. If a WIOA funded training course is not available, the career coach will make a direct referral to the vocational school in order for the participant to apply for financial aid. Contact should be made with the local vocational schools to determine the deadline for financial aid applications.
 - 5. VES placement procedures are handled by an ETP Provider staff.
- E. **Work Experience:** Planned, structured learning experiences that take place in a WIOA approved workplace for a defined period of time. The work experience may be paid or unpaid and may occur in either the private for-profit or the public sector. Examples include Internship, Apprenticeship or Job Shadowing.

- F. **Workfare:** This component is used as a last resort. The goal of this component is to assist in a participant's transition from unpaid to paid employment while providing on the job experience for participants. Participation is required on a year-round basis to meet ABAWD provisions. Placements are made with public and private non-profit agencies. Form FSET-241, Workfare Training Site Agreement, is completed when a participant is placed at a workfare site.
1. Workfare participants do not receive wages. The number of hours participants are required to work are determined by the value of their SNAP allotment.
 2. Each ABAWD is responsible for earning his/her own share of the SNAP allotment.
 3. The minimum monthly number of hours that each Workfare participant is required to volunteer shall be determined by:
 - a. Finding the number of hours required for the household based on the allotment chart below; and
 - b. Dividing the household's hour requirement by the number of ABAWDs subject to the work requirement.

PRO-RATA SHARE OF ALLOTMENT	NUMBER OF HOURS REQUIRED TO WORK PER MONTH
\$0 through 49	5 hours;
\$50 through 99	10 hours;
\$100 through 149	15 hours;
\$150 through 199	25 hours;
\$200 through 249	30 hours;
\$250 through 299	35 hours;
\$300 through 349	40 hours;
\$350 through 399	50 hours;
\$400 through 449	55 hours;
\$450 through 499	65 hours;
\$500 through 549	70 hours;

\$550	through	599	75 hours;
\$600	through	649	85 hours;
\$650	through	699	90 hours;
\$700	through	749	100 hours;
\$750	through	799	105 hours; and
\$800		and up	110 hours

- c. ABAWDS who are subject to the time limit will have their workfare goal hours displayed on the EDG Summary screen. These hours will also populate on their activity report.
5. The Workfare component lasts for 12 months unless the ABAWD enters another component, becomes otherwise exempt from ABAWD requirements, or meets ABAWD requirements in another way. At the end of the 12th month period, form FSET-241 should be reviewed with the Workfare site agency to determine if the agency wants to continue to provide a placement for the participant. If the placement will continue, a new FSET-241 must be completed.
 6. The Department for Community Based Services (DCBS) carries accident insurance on Workfare participants. Refer to Volume IIIA, [MS 4300](#).
 7. DCBS does not pay for a background check on Workfare participants.

*MS 3150

JOB RETENTION SERVICES

(1)

Individuals who were employed and/or participated in training services through the ETP Program, who have secured employment and are no longer participating in an ETP component are eligible for job retention services. These services include transportation payments and case management. Individuals are eligible to receive JRS if they were employed and participating in ETP at the time their SNAP case discontinues due to income. JRS includes case management services from the provider and transportation payments \$25 for 3 consecutive months once the SNAP case is discontinued.

1. Job retention services are provided for a minimum of 30 days up to 90 days, even if the individual is no longer receiving SNAP benefits.
2. These individuals are tracked as ETP participants even if they are not receiving SNAP benefits. Non-ABAWDs who volunteer are also tracked.
3. Non-ABAWDs who volunteer but stop participating are exited from the ETP Program after two months of non-participation and are no longer eligible for job retention services.

MS 3400

REPORTING CHANGES

(1)

[Changes that impact ETP participation MUST be reported.

The following changes in ETP participation status are automatically processed by the system when action is taken on a SNAP case.

1. Participant becomes ineligible;
2. Mandatory registrant becomes exempt; and
3. Address change.]

MS 3500 TRANSPORTATION PAYMENT PROCEDURES (1)

[Transportation payments are paid in advance based on expenses an ETP participant expects to incur. As long as they are participating, all ETP participants are eligible for a monthly transportation payment up to \$25 based on their anticipated expenses. Individuals can request transportation payments using the SNET-145 form. Client's statement is accepted as verification. The payment will not exceed \$25 per month regardless of the amount the ETP participant spends. A warning banner will display when a worker attempts to issue a transportation check for more than \$25.

Transportation payments are authorized as follows:

1. SNAP participants who agree to participate in ETP are eligible for up to \$25 transportation payment based on anticipated expenses.
2. Active ETP participants are eligible to continue to receive ongoing transportation payments up to \$25 for each month they participate and provide documentation.

NOTE: It is imperative that workers ask clients who identify as being homeless to provide an actual mailing address rather than listing a mailing address to which mail cannot reasonably be delivered. Workers must also ensure the mailing address is updated for the individual on Worker Portal.]

MS 3600 AUTHORIZING TRANSPORTATION PAYMENTS (1)

[Transportation payments are issued as long as the member is in compliance and 30 days has to lapse between payments.]

MS 3900 CURING NONCOMPLIANCE (1)

A member who fails to cooperate with work requirements in an active E&T county must comply, unless the member becomes exempt from work registration during that period.

- A. Once the member notifies DCBS or OET that he/she wants to be added back in to a case or has re-applied for SNAP, the member must comply for 30 days unless he/she becomes exempt from work registration. This has to occur before eligibility can be determined.

NOTE: If the member states he/she is now working enough hours to make him/her exempt from ABAWD requirements, regaining eligibility is based on verified anticipated hours. The member is not required to have worked for 30 days prior to regaining eligibility.

1. If the member is exempt from or complying with ABAWD requirements consider the noncompliance cured. Process an application if SNAP is inactive. If SNAP is active, add the member to the case.
2. If the member is not exempt from ABAWD requirements and there is active SNAP take the following action:
 - a. Manually issue form FS-105, Notice of Eligibility or Ineligibility, explaining that the client is ineligible as he/she has not complied with E&T work requirements.
 - b. Explain to the client that he/she needs to meet with a career coach.
3. If the member is not exempt from ABAWD requirements and SNAP is inactive, take the following action:
 - a. Start an application on the system;
 - b. [If the ABAWD member is the only household member, explain to the client that the SNAP application is being denied because he/she has to comply with the E&T program BEFORE he/she will be approved again. If there are other household members, explain that the application will approve if otherwise eligible without the ABAWD member until he/she complies.
 - c. Enter comments detailing that the client came in to apply for SNAP and as the E&T noncompliance hasn't been cured yet, the application is being denied or the member is being denied; this has been explained and the client understands that the ABAWD member must comply with E&T before an application can be approved or the member can be added back; and it has been explained that he/she must meet with a career coach.
 - d. Explain that he/she will meet with the career coach who will explain what is required; and

- e. When the ABAWD member completes the required activity, and the noncompliance has been cured, he/she may be eligible again assuming he/she meets all other eligibility requirements.
4. If the ABAWD member fails to cure the noncompliance, the member remains ineligible.
- B. If the member becomes exempt from work registration during noncompliance, the procedures are as follows:
1. If SNAP is active, process a member add and change the member's information screens to reflect the exemption;
 2. If SNAP is inactive, process an application; and
 3. Document comments.
- C. If the member becomes exempt after noncompliance but before the first effective month, the procedures are as follows:
1. Change the member's information screens to reflect the exemption;
 2. Check the tracking codes and correct if necessary; and
 3. Document comments.

[NOTE: If a member who is currently ineligible due to non-compliance reapplies and is alleging he/she is unable to work:

If he/she is otherwise eligible for expedited services, he/she remains ineligible until he/she provides verification of being unable to work. DO NOT pend the application for this verification.

If he/she does not meet expedited criteria, pend the application for this verification.]

MS 4205 VOLUNTARY QUIT/REDUCTION OF WORK HOURS IDENTIFICATION (1)

At application, recertification or case change when the worker becomes aware of a loss of employment, determine if the member subject to work registration quit a job. For applications, look back 30 days from the date of application. For active cases, review for job quits anytime during receipt of benefits.

Voluntary quit does not apply if the member is exempt from work registration requirements. The SNAP household is allowed to change the work registration exemption for who is responsible for the care of a dependent child under age 6 at any time.

Consider reduction of work hours to less than the equivalent of the Federal minimum wage multiplied by 30 hours per week, the same as voluntary quit. Use the same good cause criteria for both.

- A. To be considered a voluntary quit/reduction of work hours, the employment must meet the following criteria:
 - 1. Involve 30 hours or more per week or provide earnings equivalent to the Federal minimum wage multiplied by 30 hours per week; and
 - 2. The quit was without good cause. Refer to [MS 4250](#) for good cause criteria.
- B. Consider employees of a Federal, State or local government who participate in a strike against such government and are dismissed from the job due to participation in the strike, to have voluntarily quit a job without good cause.
- C. Consider contract employees, who choose not to renew their contract with terms comparable to those of a previous contract, although it is offered, to have voluntarily quit a job without good cause.
- D. Once a voluntary quit/reduction of work hours is verified, the work related disqualification is imposed based on system entries.
- E. Primary Wage Earner designation has no bearing on identification of voluntary quit/reduction of work hours.
- F. Do NOT consider the following changes in employment status as voluntary quit:
 - 1. Termination of a self-employment enterprise;
 - 2. Resignation of a job at the request of the employer; or
 - 3. Loss of a job through no fault of their own if the job was obtained to cure a previous voluntary quit.

- G. Consider refusal to provide sufficient information to allow a determination of employment status as non-compliance with a work requirement and a disqualification is imposed for that member.
1. If the statements or information concerning a member's loss of employment or reduction in work hours is questionable, request verification of the questionable information.
 2. Assist the member in obtaining the requested information if needed.
 3. [If all the information has been received to determine the household's ongoing eligibility except the questionable information concerning loss of employment or reduction of work hours, and that member is required to register for work, approve the application, recertification, etc., but identify that the member voluntary quit the job on the Earned Income Details screen and the system will automatically apply a disqualification for the member.]
 4. If the household provides the information after the disqualification has been imposed, and this information indicates that a voluntary quit/reduction of work hours is not appropriate, delete the disqualification in this situation. The Supervisor or Principal worker can delete the disqualification. Add the member back to the case the first effective month, and provide a supplement, if appropriate.
 5. While serving an appropriate disqualification, if the member becomes exempt from work registration requirements, the disqualification period does not have to be served, and is considered cured. The member is added back to the case the first effective month. Supplements are not appropriate if the member ends the disqualification period by becoming exempt from work registration requirements in the month of the reported change.
- H. Do not delay benefits beyond the normal processing timeframe pending determination of a voluntary quit.
- I. Once a voluntary quit/reduction of work hours disqualification has been imposed, the member must serve the disqualification period, unless the member becomes exempt work registration. After the member has served the disqualification period, he/she DOES NOT have to comply before eligibility can be redetermined.

- C. Verify good cause for voluntary quit, if questionable. The primary responsibility for providing verification rests with the household. Offer assistance if the member indicates it is impossible to obtain verification. When documentary evidence cannot be obtained, substitute a collateral contact.
1. Acceptable sources of verification include but are not limited to:
 - a. Previous employer;
 - b. Employee association;
 - c. Union representatives;
 - d. Grievance committees; or
 - e. Other organizations.
 2. If the household and local office are unable to obtain the requested verification, but the quit resulted from circumstances that for good reasons cannot be obtained, the household is not denied access to the program. Document the case for review purposes.

MS 4300 EVALUATING ACCEPTABLE EMPLOYMENT (1)

A good cause reason for voluntary quit or reduction in work hours can be due to unsuitable employment conditions. Use the following criteria:

- A. Consider employment unsuitable if the wage offered is less than the highest of the following:
 1. The applicable Federal minimum wage;
 2. The applicable State minimum wage; or
 3. 80% of the Federal minimum wage if neither the Federal nor State minimum wage is applicable. The Federal or State minimum wage is not applicable when the following applies:
 - a. Federal minimum wage - The retail business has less than \$500,000.00 in sales annually;
 - b. State minimum wage - The retail business has less than \$95,000.00 in sales annually; or
 - c. Federal or State minimum wage - The member is employed as a domestic, live in companion, or has odd job income, etc.
- B. Consider employment unsuitable if:
 1. Offered on a piece-rate basis and the average hourly yield the employee can reasonably expect to earn is less than the applicable minimum wage;
 2. The member is required to join, resign from or refrain from joining any legitimate labor organization as a condition of employment; or
 3. Work offered is at a site subject to a strike or lockout at the time of the offer, unless the strike has been enjoined under Section 208 of the Labor Management Relations Act (Taft-Hartley Act) or Section 10 of the Railway Labor Act.

Eligible strikers are subject to regular work registration procedures. If the strike is enjoined under Section 208 of the Labor-Management Relations Act (Taft-Hartley Act) or if an injunction is issued under Section 10 of the Railway Labor Act and the striker refuses to return to work, the striker has failed to comply with the requirement of acceptance of suitable employment.
- C. Consider employment unsuitable if the household member involved can demonstrate or the worker otherwise becomes aware that:
 1. The degree of risk to health and safety is unreasonable;

2. The member is physically or mentally unfit to perform the employment. This must be documented by medical evidence or by reliable information from other sources;
3. The employment offered within the first 30 calendar days of registration is not in the member's major field of experience;
4. The distance from the member's home to the place of employment is unreasonable considering the expected wage and the time and cost of commuting;
5. Daily commuting time exceeds two hours per day, not including transporting a child to and from a child care facility;
6. The distance to the place of employment prohibits walking and neither public nor private transportation is available to transport the member to the job site; or
7. The working hours or nature of the employment interferes with the member's religious observances, convictions, or beliefs.

MS 4350 NONCOMPLIANCE WITH OTHER WORK PROGRAMS (1)

If a SNAP member fails to comply with another program's work requirements, a disqualification is imposed for the noncompliant SNAP member. The disqualification will be system imposed based on the action taken in the other program. The member must be in receipt of SNAP at the time the noncompliance occurred, for this to apply.

The other programs include, but are not limited to the following:

1. KWP (KTAP work requirement); and
2. UIB.

If noncompliance occurs, notification can be received by any of the following methods:

1. [System imposed disqualification; or
2. UIB verification including Program 4B, UIB worker contact or information provided by the member.

The types of disqualifications to impose are as follows:

1. Noncompliance with other PGRM (25 % reduction); or
 2. KWP/UIB Sanction/Refuse Job Offer (member removed).
- A. A disqualification is imposed for member's who are exempt work registration, other than for the receipt of KTAP.

EXAMPLE: Mother, age 42 and one child age 4. Mother fails to comply with KWP in a KTAP case. A disqualification is imposed in the KTAP case, which imposes a 25 % reduction in the SNAP case.

- B. A disqualification is imposed for members who are exempt work registration, based solely on the receipt of KTAP.

EXAMPLE: Mother, age 42 and one child age 14. Mother fails to comply with KWP in a KTAP case. A disqualification is imposed in the KTAP case, which imposes a disqualification in the SNAP case.

- C. A disqualification is imposed for members who are exempt work registration, based solely on a pending UIB application or the receipt of UIB.]

EXAMPLE 1: Mother, age 42 and one child age 14. Mother is in receipt of UIB and fails to comply with job search required by UIB. This can be verified by Program 4B, UIB worker contact or information provided by the member.

EXAMPLE 2: Mother, age 42 and one child age 14. Mother applies for UIB and is subsequently denied; the reason for denial is job quit, refusal to accept a job offer or noncompliance with UIB. This can be verified by Program 4B, UIB worker contact or information provided by the member.

[Members currently serving a disqualification due to noncompliance with another program must comply with the requirements of the other program, regardless of work registration exemption.

Once requirements of the other program are met, verification of compliance occurs by any of the following methods:

1. A system imposed action; or
2. UIB verification.

If the SNAP case is discontinued after the disqualification is imposed, the disqualification would still apply at reapplication if the KTAP noncompliance is still in effect.

Document comments concerning any disqualifications.]

MS 4450 IMPOSING WORK-RELATED DISQUALIFICATIONS (1)

- A. Impose the appropriate work related disqualification once noncompliance is verified. Imposing a work related disqualification has the following effect on the member:
1. The disqualification begins the month the adverse notice is effective;
 2. Only the member is disqualified, and the disqualification follows the member;
 3. The member's income and resources continue to count toward the remaining household members; and
 4. [A notice is generated to the household explaining the number of months disqualified, how it affects the benefits, the right to a hearing, and requirements to reapply once the disqualification period ends.

- B. If the household requests a hearing after being disqualified, the member may request that benefits be continued. See Volume I, [MS 0490](#).]

If the Agency is affirmed as a result of the hearing, the disqualification is imposed prospectively (ongoing), and a claim is not filed for the months benefits were continued.

If the disqualification cannot be imposed prospectively, a claim is appropriate for benefits received while the hearing decision was pending. The reasons a disqualification would not be imposed prospectively may include the member's SNAP eligibility was not continued for other reasons, or the member may be exempt from work registration.

- C. An agency error claim exists if a disqualification is not imposed TIMELY due to the agency's delay and the member becomes exempt work registration prior to imposing the disqualification.
- D. Disqualifications are imposed regardless of the active or inactive status of the case or county. The member must have been in receipt of benefits at the time the noncompliance occurred to impose the disqualification.
- E. Separate work related disqualifications are NOT imposed simultaneously. Each disqualification must first be served and then cured, and eligibility reestablished before another disqualification can be imposed.
- F. Document comments regarding the circumstances of all work related disqualifications.

MS 4500 ENDING WORK-RELATED DISQUALIFICATIONS (1)

- A. [For the following work related disqualifications, the member must first serve the mandatory disqualification period and then establish compliance, prior to reestablishing eligibility, unless the member becomes exempt from work registration. To establish compliance, the member must agree to work register.

- B. For a voluntary quit/reduction of work hours disqualification, the member must first serve the mandatory disqualification period prior to reestablishing eligibility, unless the member becomes exempt from work registration. A disqualification does not require the member to comply prior to re-establishing eligibility. Once the disqualification period is served, the member can reapply or a member add can be completed.

- C. For a KWP or UIB disqualification, the member must comply with the KWP or UIB requirement which caused the SNAP disqualification, in order to establish compliance with the SNAP work requirements. The entire disqualification period does not have to be served once the member complies with the other program. Ensure the member is shown as having a UIB Claim pending to exempt the member from work registration.

The disqualification period must be served unless the member becomes exempt work registration. If the member becomes exempt for a reason other than complying with the other program, the disqualification still applies as we do not increase SNAP benefits due to a decrease in KTAP benefits that is caused by noncompliance.

- D. After the disqualification period is served the member can reapply for benefits or a member add can be completed. Add the member to an active case effective the month following compliance. Supplemental benefits are only issued for the month of CURE if the disqualification is not acted on timely or it is after cut-off. Supplementals are NOT issued if the member ended the disqualification by becoming exempt from work registration requirements.

- E. Except for voluntary quit/reduction of work hours disqualifications, if the member does not comply, the disqualification is not considered cured.

The member remains ineligible ongoing until compliance is established. Document comments concerning the member's status at any subsequent application, recertification, or member add.

- F. If the member is currently serving a work related disqualification, other than a KWP or UIB disqualification, and becomes exempt, do the following:
 - 1. Verify the exemption, if questionable;
 - 2. Cure the disqualification;
 - 3. Process an application or member add as appropriate.

- G. Discontinuance of the KTAP case cures the FS disqualification.
- H. The member is responsible for contacting the local office to reapply for benefits after the disqualification period ends.
- I. DO NOT DELETE THE DISQUALIFICATIONS, unless otherwise advised, even if the member becomes exempt work registration. Disqualifications remain on the system in order to track occurrences, regardless of the active or inactive status of the case or county.
- J. Document comments concerning actions taken on all work related disqualifications.]

Failure to comply with work requirements result in SNAP disqualification for the noncompliant member.

Work related disqualifications for noncompliance are for a specified time, depending on the occurrence. Once imposed appropriately disqualifications are NOT DELETED, unless otherwise advised. Disqualifications can limit a member's participation in a particular program or prevent the member from receiving benefits.

- A. Work-related disqualifications are tracked by the system for multiple occurrences.
- B. Disqualifications imposed based on system entries:
 - 1. [Fail/decline to Work Register; and
 - 2. Voluntary Quit/Reduced Hours, or refusal to provide sufficient information to allow a determination of employment status.

These disqualifications result in the member(s) ineligibility based on the occurrence. (Please refer to item D below).

- C. Disqualifications imposed based on system imposed information:

KWP/UIB Sanction/Refuse Job Offer- If the member is not complying with KWP, and is exempt from work registration ONLY because of KWP participation, a work related disqualification is imposed on the member. If the member is otherwise exempt from work registration, then a work related disqualification is not appropriate. In this situation, a non-compliance with other programs disqualification is imposed, as per Volume II, [MS 2370](#).

Failure to cooperate with program requirements of KTAP or UI will result in a 25% reduction in SNAP benefits as well as the member(s) ineligibility based on the occurrence. (Please refer to item D below).

- D. Penalties are as follows:
 - 1. 1st violation = 2 months;
 - 2. 2nd violation = 4 months; and
 - 3. 3rd and subsequent violations = 6 months.

MS 4800 MOVE FROM COUNTY TO COUNTY (1)

- A. [When a work registered member moves from an inactive ETP county to an active ETP county, once the worker changes the address and runs eligibility, form FSET -101 will auto generate and an appointment for assessment will be auto scheduled.]
- B. When a work registered member moves from an active ETP county to an inactive ETP county, once the address/county is changed ETP activity will stop.

If it is later discovered, after the address/county code is changed, that transportation had not been issued, forward the payment information to the Nutrition Assistance Branch for manual processing. This should be a rare occurrence.

If the member is ineligible due to receipt of 3 noncompliant (BA) months, process an application or member add, as appropriate.

[Moving to an inactive ETP county does not exempt the member from work registration requirements or prevent noncompliance.]

MS 4850 REINSTATING AFTER ERRONEOUS ETP DISQUALIFICATION (1)

[If a disqualification has been imposed erroneously, delete the disqualification, reinstate the case and/or add the member and restore benefits as necessary. A reapplication or member add must be completed on the disqualified member using previous verification and the old work registration date. Document comments for review purposes.]