

**Questions and Answers for FNS Employment & Training Policy
Effective July 1, 2008**

1. If an ABAWD is deferred in an E&T county due to temporary obvious disability (W/R code "X"), would an "I" or a "Z" be put in field 80K? When is the "Z" put in field 80K now that we can defer ABAWDs?

The deferral code "X", (temporary obvious disability), is for non-ABAWDs only.

Having a temporary obvious disability is an exemption from ABAWD provisions (the individual is not an ABAWD). An individual who is exempt from ABAWD provisions due to a temporary/obvious disability would be coded with an "X" in 80E and an "I" in 80K.

When the deferral codes are W, Y, Z, or L, Field 80K must be a "Z". The individual is still an ABAWD. The deferral codes W, Y, Z, or L are not exemptions from ABAWD provisions. The "Z" in Field 80K will ensure that FSIS identifies the case as a Standard recertification.

2. Section 241.10, Participant Reimbursement Requirements states that participants cannot be required to participate in E&T (be referred to ESC/CC) if their participant expenses exceed the amounts set by local counties. Is this an exemption or deferral from work registration and ABAWD provisions?

It is not an exemption or a deferral. Participation expenses exceeding the reimbursement amount set by the county is a good cause reason for not referring an individual to ESC/CC and for failure to comply with E&T requirements. If good cause is established based on this reason, document the case file.

3. If a county opts out of Career Start, how will an individual cure a disqualification imposed prior to June 30, 2008? Will the cure even be necessary since the policies have changed as of July 1, 2008?

For community colleges that opt out of Career Start, the procedures for individuals wishing to cure a Career Start disqualification, imposed prior to June 30, 2008, are as follows:

- a. When the individual reapplies or indicates to the DSS worker that he/she wants to "cure" the disqualification, the DSS worker will complete a DSS-2624 and send it to ESC.
- b. The DSS worker must check "Change" in Section B. The "Change" explanation must state "Career Start Cure". By stating "Career Start Cure", ESC will know that this is an individual who needs to cure a Career Start disqualification and that this is an individual that needs immediate attention.
- c. ESC will send notification to the individual of the assessment appointment.
- d. Once the individual attends the assessment appointment, he/she will have "cured" the disqualification imposed by Career Start. ESC will then send notification to the DSS worker regarding the compliance or cure.

4. Is a DSS-8650 required if a county forgets to get the FNS unit's signature of understanding in section "G" of the DSS-2624?

No. Do not send a DSS-8650 to the FNS unit. The copy of the DSS-8640 in the record meets the criteria for advising the HH of work requirements. DO NOT deny or terminate a case for a missing signature on the DSS-2624.

5. Prior to July 1, 2008 an ABAWD could not be deferred from participating in an E&T program. When an ABAWD comes in for recertification after July 1, 2008 and can be deferred, how do we let ESC/CC know that they no longer have to work with this ABAWD? Do we send the client an Effect of Change notice letting them know they no longer have to work with ESC as well?

Provide the deregistration notification (DSS-2624) to ESC within ten calendar days of the effective date of the change, and document the reason for deregistration in Section B of the DSS-2624. Deregistration would be the ABAWDs' status with ESC. Work registration code in FSIS would be dependent on the deferral code. Use the DSS-8562, Effect of Change, to notify the FNS unit that the individual is not required to participate in E&T at this time.

6. What action is taken on non-compliances (NCSES-2625's) for non-ABAWDs received after July 1, 2008?

Evaluate to determine if the individual is exempt from work requirements or if the individual can be deferred from E&T participation. If exempt or can be deferred, update the work registration code to reflect the current status. Deregister the individual using the DSS-2624, as this would be his/her status with ESC/CC.

If there is no exemption or deferral, leave the "R" in field 80E and document the record that the individual will not be disqualified due to a change in policy: the individual is not an ABAWD and is no longer required to participate in an E&T program. Deregister the individual using the DSS-2624, as this would be his/her status with ESC/CC.

7. Can disqualifications, for non-compliance with E&T imposed prior to July 1, 2008, be excused for non-ABAWDs under the new policy effective July 1, 2008? Example: Client (non-ABAWD) was disqualified effective February 1, 2008 for one month or until complies. Client comes in 7/3/08 to reapply. An evaluation is done and the client is not exempt from work requirements.

No. The disqualification can not be excused. The individual must become exempt from work requirements or "cure" the disqualification by complying. If the non-ABAWD does not "cure" the disqualification, he/she will remain disqualified.

8. What if the client from question 13 says he/she has not worked anywhere because gas prices are too high for him to look for work anywhere. Is the client now eligible, without a "cure", because his participation expenses would exceed the amount set by the county? Can't he be deferred at this point?

No. "Participation expenses exceeding the reimbursement amount set by the county" is a good cause reason for not referring an individual to ESC/CC and it is a good cause reason for failure to comply with E&T requirements. It is not an exemption from work requirements nor is it a deferral reason. A deferral reason can never be used to "cure" a disqualification. The

individual must become exempt from work requirements or "cure" the disqualification by complying. If the non-ABAWD does not wish to "cure" the disqualification, he/she will remain disqualified.

9. Does good cause have to be determined when a client missed an appointment to cure an E&T disqualification (DQ)? Example: Client (non-ABAWD) disqualified for one month (March 2008) or until he complies, for failure to comply with E&T, without good cause. Client comes in to reapply on July 2, 2008, wants to cure DQ (meets no work registration exemptions at this time). 2625 sent over to ESC to request appointment to comply; ESC responds and sends 2625 back over stating client did not keep appointment to cure non-compliance. In the past we have only sent 2624 stating client remains DQ and left it at that.

No. In the example, you would notify ESC that the client remains disqualified.

10. Is there a cap on the amount that the state will match the county on E&T transportation expenses?

No. Currently there is not a cap on the amount the state will match a county's transportation reimbursement amount.

11. Where on the back of the 2624 do volunteers sign?

Volunteers would sign in Section F, Responsibilities for Person who must report to ESC/CS.

12. If a non ABAWD (w/r code "R") becomes an ABAWD during the certification period due to a change - does the E&T review period begin from the date of registration or date of referral?

Example: DOA 7/3/08, client is a non-ABAWD and work registration code is "R", (not referred to ESC/CC). The E&T 12 month review period is 7/08-6/09. Change in situation (Standard category) and client becomes an ABAWD 9/08, does E&T review period change and how do we notify CS/ESC?

The 12 month period begins with the date of registration. Notify ESC/CS by forwarding the DSS-2624 to them. On the 2624 complete the top of the form, Section A and Section B. The review period (from your example that would be 7/08-6/09) and indicate "new registrant" as this would be his/her status with ESC/CC.

13. Do deferrals have an E&T review period? DOA 07/08, code "Y". Does the E&T review period need to be entered if the recipient is being deferred and then only entered at the time the client becomes either a mandatory registrant or non-deferred ABAWD?

The review period is 7/08-6/09. He/she is a work registrant but deferred from participation in a work program. At recertification or change his/her status must be reviewed for possible change in work registration status. If the deferral no longer applies, forward the 2624 to ESC/CC. On the 2624 complete the top of the form, Section A and Section B. The review period (from your example that would be 7/08-6/09) and indicate "new registrant" as this would be his/her status with ESC/CC.

14. Career Start wanted to know if they can keep all their volunteer cases in one folder vs individual folders since they do not have to notify DSS?

The CC and ESC can choose to set-up individual folders for volunteers. However, what is done for mandatory CS and E&T participants is done for volunteers who do not continue their participation. A NCSES-2625 is sent to the FNS worker to report non-compliance. However, the FNS worker is responsible for reviewing the case record documentation and DSS-8590 in order to **NOT** disqualify an individual who volunteers.

15. Can the CC get a copy of the new voucher and from whom? Where does the CC find the new voucher form for Career Start?

The voucher form and vouchering process has not changed except for sending a voucher along with the NCSES-2625 when reporting non-compliance. The CC and ESC will complete the voucher notating the dates of participation and attach attendance sheets for classroom participation at the CC or work search records of participation at ESC.

FOR NON-E&T COUNTIES WITHOUT A WAIVER:

1. Deferral codes **can not** be used. Counties without an E&T program have no place to refer or defer a work registrant to or from.
2. The ABAWD non-compliant months are countable and must be tracked to ensure that they do not receive more than their 3 non-compliant months.
3. The ABAWD non-compliant months are **not** countable if the ABAWD is exempt from work registration or exempt from ABAWD provisions.
4. If the ABAWD has used the 3 non-compliant months and is now at recertification, evaluate to recode the non-compliant months.

FOR E&T COUNTIES WITHOUT A WAIVER:

1. Deferral codes **can** be used. Counties with an E&T program have a place (ESC or CC) to refer or defer a work registrant to or from.
2. The ABAWD non-compliant months are countable and must be tracked to ensure that they do not receive more than their 3 non-compliant months.
3. The ABAWD non-compliant months are countable **even when using** the deferral codes of W, Y, Z and L. These deferral codes are not exemptions from work registration or ABAWD provisions.
4. The deferral code X is used for non-ABAWDs **only**.
5. The deferral code X is **not** used for ABAWDs. A temporary/obvious disability is an exemption from ABAWD provisions. The individual is not an ABAWD if he/she has a temporary/obvious disability.
6. If the ABAWD has used the 3 non-compliant months and is now at recertification, evaluate to recode the non-compliant months.