

# Families First Work and/or Educational Activity

**Policy 23.13**

**Effective: July 1, 2024**

## Introduction

All adults and minor parents who are mandatory assistance unit members must participate in a work and/or educational activity, unless exempt, as part of a Personal Responsibility Plan.

## Scope

The purpose of this policy is to outline the requirements, processes, and exceptions for the Families First work and/or educational activities that are designed to promote self-sufficiency by strengthening families through education, training, and work.

## Policy

### The Work and/or Educational Activity

1. The Families First work requirement applies to all adult mandatory AU members and minor parent caretakers, including mandatory AU members who are excluded from the AU as outlined in [Policy 23.02 Assistance Units](#).
2. All cases with a mandatory work and/or educational activity are assigned to a TANF Case Manager who will:
  - a. Provide a Families First program orientation;
  - b. Develop the Individual Opportunity Plan (IOP);
  - c. Monitor participation in the activity; and
  - d. Provide needed support services.
3. The requirement consists of thirty (30) hours per week:
  - a. A minimum of twenty (20) hours must be in Core Activities.
  - b. The remaining ten (10) hours may be in Core or Non-Core Activities.
  - c. Minor parent caretakers may meet the work requirement by either attending high school or its equivalent, or they may choose to attend thirty (30) hours of a work and/or educational activity.

### Core Activities

Only the following core work activities will be countable Personal Responsibility Plan (PRP) activities:

1. Unsubsidized Employment
2. Subsidized Employment
3. Job Search and Job Readiness Assistance
  - a. Limited to four (4) consecutive weeks or twelve (12) weeks total within a calendar year beginning with the date of engagement.
  - b. Following the four (4) consecutive weeks, a one (1) week break is required prior to resuming Job Search and Job Readiness.

4. Work Experience
  - a. Limited to six (6) months in a twelve (12) month period.
  - b. The TANF Case Manager will monitor hours spent in the activity to ensure that the six (6) month time period is not exceeded.
5. Community Service
  - a. Limited to three (3) months in a twelve (12) month period.
  - b. The TANF Case Manager will monitor hours spent in the activity to ensure that the three (3) month time period is not exceeded.
6. Vocational Education
  - a. Limited to twelve (12) months in a lifetime.
  - b. No more than thirty percent (30%) of the Families First caseload can be enrolled in Vocational Education at a given time.
  - c. Participation in a post-secondary degree or other vocational specific diploma/certificate program may count as a core activity, if the customer has not exhausted the Vocational Education twelve (12) month limit. This includes, but is not limited to:
    - i. Bachelor's or other advanced degree
    - ii. Two (2) year degree programs
    - iii. Vocational diplomas
    - iv. Vocational certificates.

**Non-Core Activities**

Only the following Non-Core activities are countable PRP activities. They are limited to a total of ten (10) hours per week.

1. Job Skills Training Directly Related to Employment
  - a. Job-specific or general training, including literacy or language instruction.
  - b. Post-Secondary Education, if the individual has exhausted the Vocational Educational training limit of twelve (12) months.
    - i. Supervised homework/study time must be verified and documented to be countable.
    - ii. The total countable homework/study time may not exceed the hours required or advised by the educational program.
2. Adult Education
  - a. Courses to provide knowledge and skills for a specific occupation or work setting.
  - b. Adult basic education
  - c. English as a second language courses
  - d. Secondary school or GED courses for those who do not have a high school diploma or the equivalent.

**Residential Treatment Facilities**

Customers who are residents of treatment centers required to participate in the facility's program have met their thirty (30) hour work requirement. These customers may receive support services through TDHS if needed.

**Renewal House**

Residents of Renewal House have met their thirty (30) hour work requirement. These customers may receive support services through TDHS if needed.

**Catholic Charities**

Customers who are receiving Refugee Cash Assistance (RCA) and are engaged in a work activity through Catholic Charities have met their thirty (30) hour work and/or educational activity requirement. These customers may receive support services through TDHS if needed.

**Vocational Rehabilitation**

Participants in Vocational Rehabilitation (VR) who are deemed fully active by VR will be considered to have met their thirty (30) hour work and/or educational activity requirement. These customers may receive support services through TDHS if needed.

**Minor Parent Caretakers**

1. Minor parent caretakers who are in high school or an equivalent program will be considered to have met their thirty (30) hour work and/or educational activity requirement. These customers will be monitored by the TANF Case Manager.
2. A minor parent caretaker may continue in high school or an equivalent program until they reach twenty (20) years of age.
  - a. At age twenty (20), they will have a thirty (30) hour work and/or educational activity requirement, whether or not they have graduated from high school or completed an equivalent program.
  - b. If the minor parent caretaker will continue in school after age twenty (20), ten (10) hours of the thirty (30) required activity hours may still be used for education.
3. Minor parent caretakers in high school or an equivalent program may receive support services through TDHS if needed.

**Exemptions**

An adult or minor parent caretaker is exempt from the work and/or educational activity when they are:

1. A child only caretaker,
2. Sixty-five (65) years old or older,
3. Disabled,
  - a. To be exempt based on disability, the customer must be receiving:
    - i. RSDI/SSDI based on their disability;
    - ii. SSI;
    - iii. VA benefits based on their 100% disability; or
    - iv. Black Lung benefits based on their own disability.
  - b. Individuals who have applied for SSI or RSDI/SSDI but have not received a final determination may qualify for an exemption while awaiting that decision.
    - i. Proof of the SSI or RSDI/SSDI application must be provided.
    - ii. The exemption will be reviewed every sixty (60) days until a determination is made.
4. A single parent caring for an infant less than one (1) year of age,
5. A parent in a two (2) parent household who is caring for an infant less than sixteen (16) weeks of age,
  - a. Only one (1) parent in a two (2) parent household can qualify for this exemption.

6. Caring for an in-home disabled relative, or
7. A non-citizen who does not have a valid US work permit.

**DRS Evaluation**

1. The caseworker must refer the following customers, except for SSI recipients or Child Only Caretakers, to the Division of Rehabilitation Services (DRS) at intake and renewal:
  - a. RSDI/SSDI based on their disability;
  - b. VA benefits based on their 100% disability;
  - c. Black Lung benefits based on their own disability.
2. DRS will determine whether the Families First customer is eligible for DRS services and whether those services would provide the customer an opportunity to voluntarily participate in the Families First work and/or educational activity.
3. Customers approved for services through DRS will be referred to the TANF Case Manager.
4. Customers who do not want to participate, attend the referral appointment, or comply with DRS will retain their exempt status and will not be subject to sanction.

**ADAAA Accommodation**

Some individuals may need Americans with Disabilities Act Amendments Act of 2008 (ADAAA) accommodations in order to participate in the Families First program and be able to fulfill their work and/or educational activity requirements. Individuals who are being assessed for an ADAAA accommodation will be exempt during the assessment period.

**Victims of Domestic Violence**

In order to accommodate victims who are actively seeking safety and/or shelter from domestic violence, several participation options are available.

1. Customers who are living in a residential shelter that provides rehabilitative services, such as therapy or other activities geared toward work, and requires sole participation in the shelter's program have met their thirty (30) hour work and/or educational activity. These individuals may receive support services through TDHS if needed.
2. Customers who are living in a residential shelter that does not require sole participation in the shelter's program and/or does not provide work programs will have a mandatory work and/or educational activity to participate in Families First.
  - a. Work and/or educational activity participation hours for individuals who are victims of domestic violence and are unable to meet the thirty (30) hour requirement may be modified, if necessary, to protect the safety of the individual. Modified hours for the work and/or educational activity can only be adjusted based on a recommendation from Family Focused Solutions (FFS).
3. Victims of domestic violence who are unable to participate in a Families First activity because it would pose a threat to their safety or the safety of their children will be granted a temporary waiver from the work requirement not to exceed thirty (30) calendar days due to a "short-term temporary crisis."

**Volunteers**

1. Exempt customers may volunteer to participate in Families First work and/or educational activities, except for child only caretakers, non-citizens who do not possess a valid work permit, and SSI recipients.
2. Customers who volunteer are not required to participate and cannot be sanctioned.
  - a. If an exempt single parent volunteers prior to the time their child reaches sixteen (16) weeks of age and decides they are unwilling or unable to continue participation, the parent may return to exempt status that can continue until the child's first (1st) birthday.

- b. If an exempt single parent volunteers after their child has reached sixteen (16) weeks of age, the volunteer action becomes mandatory and, if the parent is unwilling to continue participation, they may be subject to a sanction.

### Sanctions

1. Customers who are non-compliant with the work and/or educational activity without good cause will be sanctioned by having the case closed.
  - a. The TANF Case Manager will determine whether an absence is excused or unexcused. See [Families First Work and/or Educational Activity Procedures](#) for additional information. Customers who have an unexcused absence from a work and/or educational activity will be considered non-compliant.
2. Excused absences will not be sanctioned.
3. Once a sanction has been imposed, the customer must serve a mandatory sanction period, reapply for Families First, and complete a ten (10) business day compliance period in order to reestablish Families First benefits.
  - a. The first (1<sup>st</sup>) sanction results in a mandatory one (1) month sanction period.
  - b. The second (2<sup>nd</sup>) sanction results in a mandatory three (3) month sanction period.
  - c. The third (3<sup>rd</sup>) sanction results in a mandatory six (6) month sanction period.
  - d. The fourth (4<sup>th</sup>) and all subsequent sanctions result in a mandatory twelve (12) month sanction period.
4. Customers who meet the following criteria may qualify for early re-entry if applying during the mandatory sanction period:
  - a. For the first (1<sup>st</sup>), second (2<sup>nd</sup>) and third (3<sup>rd</sup>) sanctions:
    - i. The receipt of cash assistance would prevent removal of a child from the home by the Department of Children's Services (DCS);
    - ii. The caretaker has become disabled;
    - iii. The caretaker is caring for an in-home disabled relative;
    - iv. The receipt of cash assistance would prevent the AU from becoming homeless;
    - v. The recipient filed an Appeal;
    - vi. The recipient won an Appeal;
    - vii. The sanction was entered in error.
    - viii. A two (2) week compliance period is required prior to approval unless the early-re-entry reason is one that causes the individual to be exempt from the work requirement, the sanction was entered in error, or the approval is due to an order from appeals.
  - b. For the fourth (4<sup>th</sup>) or subsequent sanction:
    - i. The customer:
      - 1) Has been con employed for a period of three (3) consecutive months for a minimum of (30) thirty hours each week at the time of application; and
      - 2) Is currently employed at the time of application; and
      - 3) Is able to verify the employment; or
    - ii. The customer filed an Appeal;
    - iii. The customer won an Appeal;
    - iv. The sanction was entered in error;
    - v. The caretaker has become disabled; or

- vi. The caretaker has become incapacitated and/or is caring for an in-home disabled relative.
- vii. A two (2) week compliance period is required for the first (1<sup>st</sup>) re-entry reason above.

**Voluntary Quit**

Customers who voluntarily terminate employment without good cause will be subject to the same sanction(s) as those who are non-compliant with their engagement with the TANF Case Manager unless the customer:

1. Is an ineligible AU member;
2. Is, or has become, exempt from the work and/or educational activity; or
3. Is a minor.

**Good Cause**

Examples of acceptable good cause reasons for not participating in the work and/or educational activity can be found on [Families First Good Cause for Non-Compliance](#).

**Supporting Documents**

[Policy 23.01 Families First Application Process](#)

[Policy 23.02 Assistance Units](#)

[Families First Good Cause for Non-Compliance](#)

[Families First Work and/or Educational Activity Procedures](#)

[Rights and Responsibilities](#)

**Definitions/Acronyms**

<b>Term</b>	<b>Definition</b>
<b>ADAAA</b>	Americans with Disabilities Act Amendments Act of 2008
<b>AU</b>	Assistance Unit
<b>DCS</b>	Tennessee Department of Children's Services
<b>DRS</b>	Division of Rehabilitation Services, a division of DHS
<b>FFS</b>	Family Focused Solutions
<b>GED</b>	General Education Diploma
<b>IOP</b>	Individual Opportunity Plan
<b>Minor Parent Caretaker</b>	Biological parent who is under the age of eighteen (18) and is the head of his/her own AU.
<b>PRP</b>	Personal Responsibility Plan
<b>RCA</b>	Refugee Cash Assistance
<b>SSI</b>	Supplemental Security Income
<b>Subsidized Employment</b>	Employment in the public or private sector for which the employer receives a subsidy from Families First or other public funds to offset some or all of the wages and costs of employing a Families First customer.
<b>TANF</b>	Temporary Assistance for Needy Families
<b>Unsubsidized Employment</b>	Employment in the public or private sector that is not subsidized by TANF or any other public program.
<b>VA</b>	Veteran's Administration
<b>VR</b>	Vocational Rehabilitation
<b>Work Experience</b>	Unpaid work activity that allows an opportunity to acquire the general skills, training, knowledge, and/or experience necessary to obtain employment.

**Supersedes**

Policy 23.13 Families First Work and/or Educational Activity, eff. date 03/15/2024; Policy 23.20 Families First Medical Evaluation Unit Referrals, eff. date 07/01/2023

**Approval History**

Approved By	Approver Title	Approved Date	Effective Date
Clarence H. Carter	Commissioner	06/26/2024	07/01/2024
Clarence H. Carter	Commissioner	03/11/2024	03/15/2024
Clarence H. Carter	Commissioner	07/03/2023	07/01/2023
Danielle W. Barnes	Commissioner	01/11/2018	01/15/2018

**Revision History**

Date	Version	Location of Change	Description/Reason for Change
06/26/2024	07/01/2024	Policy Section.	This policy revision removed language and references related to MEU and temporary incapacity.
03/11/2024	03/15/2024	Policy Section	Clarifying language regarding exemptions when SSI or RSDI/SSDI applications are pending
07/03/2023	07/01/2023	Introduction, Policy Section, Support Documents, and Definitions/Acronyms.	Updated the language to remove references to ECMS and ECMS contractors. Replaced client representative with TANF Case manager. Deleted items in sections no longer applicable or in need of a language update. Updated pronoun usage. Changed policy number.
01/11/2018	01/15/2018	N/A	New Policy

<b>Approved By</b>	<i>Clarence H. Carter</i>	<b>Approval Date</b>	06/26/2024
<b>Authority</b>	42 U.S.C. §607; 45 CFR §261; Tenn. Code Ann. §71-3-104; Tenn. Comp. R. and Regs. 1240-1-49	<b>Effective Date</b>	07/01/2024
<b>Application</b>	All TDHS Family Assistance Staff and Contractors		